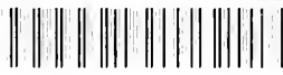


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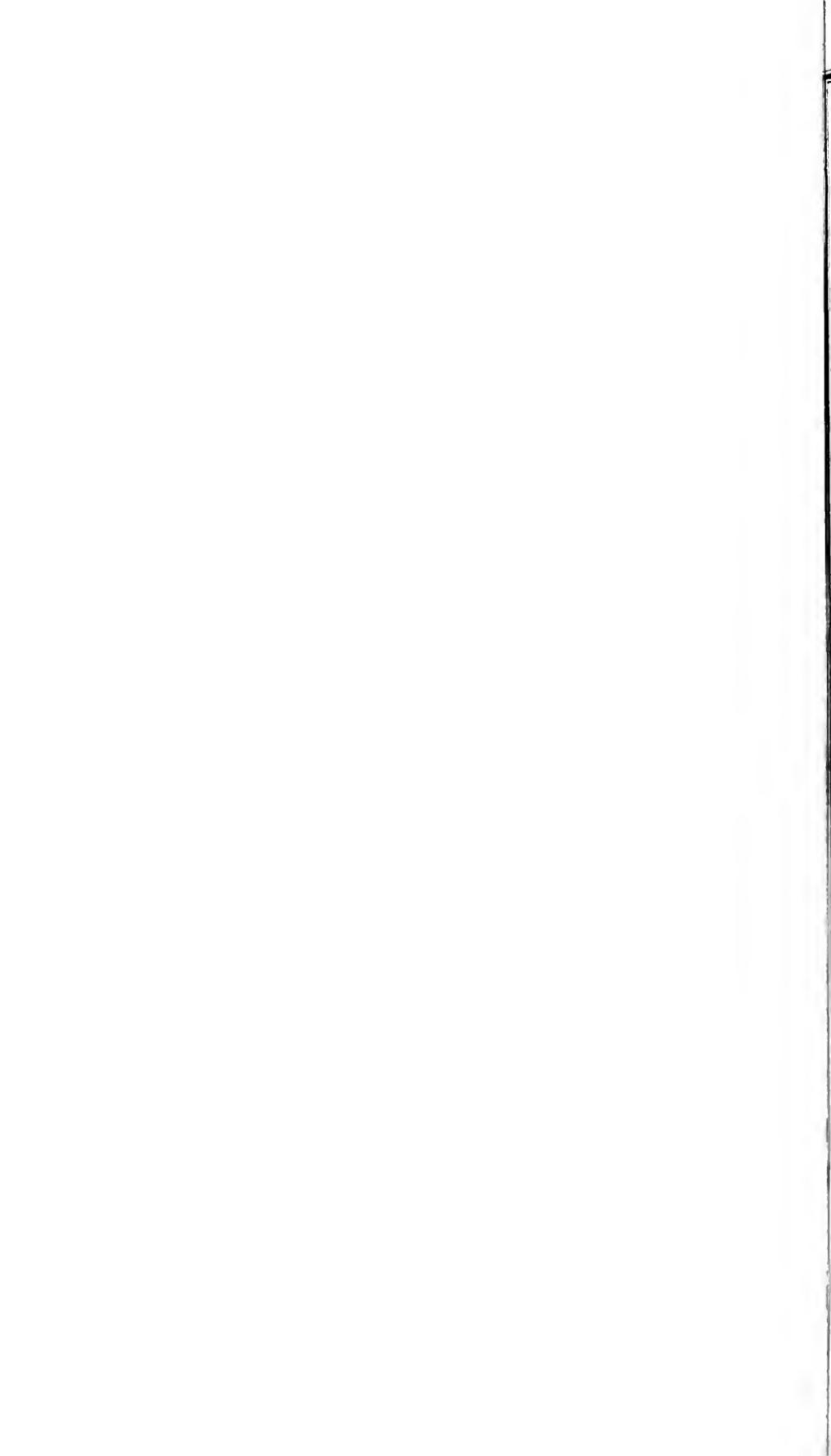
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A D D R E S S

OF THE

H O N . J O H N C . C A L H O U N ,

IN THE SENATE OF THE UNITED STATES,

ON THE SUBJECT OF SLAVERY.

[READ FOR HIM BY HON. MR. MASON, MARCH 4. 1850.]

I HAVE, Senators, believed from the first that the agitation of the subject of slavery would, if not prevented by some timely and effective measure, end in disunion. Entertaining this opinion, I have, on all proper occasions, endeavored to call the attention of both the two great parties which divide the country, to adopt some measure to prevent so great a disaster, but without success. The agitation has been permitted to proceed, with almost no attempt to resist it, until it has reached a period when it can no longer be disguised or denied that the Union is in danger. You have thus had forced upon you the greatest and the gravest question that ever can come under your consideration, How can the Union be preserved?

To give a satisfactory answer to this mighty question, it is indispensable to have an accurate and thorough knowledge of the nature and the character of the cause by which the Union is endangered. Without such knowledge it is impossible to pronounce, with any certainty, by what measure it can be saved; just as it would be impossible for a physician to pronounce, in the case of some dangerous disease, with any certainty, by what remedy the patient could be saved, without similar knowledge of the nature and character of the cause of the disease. The first question, then, presented for consideration, in the investigation I propose, in order to obtain such knowledge, is—what is it that has endangered the Union?

To this question there can be but one answer—that the immediate cause is, the almost universal discontent which pervades all the states composing the Southern section of the Union. This widely extended discontent is not of recent origin. It commenced with the agitation of the slavery question, and has been increasing ever since. The next question is,—What has caused this wide-diffused and almost universal discontent?

It is a great mistake to suppose, as is by some, that it originated with demagogues, who excited the discontent with the intention of aiding their personal advancement, or with disappointed, ambitious individuals, who resorted to it as the means of raising their fallen fortunes. There is no foundation for this opinion. On the contrary, all the great political influences of the section were arrayed against excitement, and exerted to the utmost to keep the people quiet. The great mass of the people of the South were divided, as in the other section, into Whigs and Democrats. The leaders and the presses of both parties in the South were very solicitous to prevent excitement and restore quiet; because it was seen that the effects of the former would necessarily tend to weaken, if not destroy, the political ties which united them with their respective parties in the other section. Those who know the strength of party ties will readily appreciate the immense force which this cause exerted against agitation, and in favor of preserving quiet. But, as great as it was, it was not sufficiently so to prevent the wide-spread discontent which now pervades the section. No; some cause far deeper and more powerful must exist to produce a discontent so wide and deep, than the one inferred. The question then recurs, what is the cause of this discontent? It will be found in the belief of the people of the Southern states, as prevalent as the discontent itself, that they cannot remain, as things now are, consistently with honor and safety, in the Union. The next question, then, to be considered, is, what has caused this belief?

One of the causes is, undoubtedly, to be traced to the long continued agitation of the slave question on the part of the North, and the many aggressions which they have

made on the rights of the South, during the time. I will not enumerate them at present, as it will be done hereafter in its proper place.

There is another, lying back of it, but with which this is intimately connected, that may be regarded as the great and primary cause. It is to be found in the fact that the equilibrium between the two sections in the government, as it stood when the constitution was ratified and the government put in action, has been destroyed. At that time, there was nearly a perfect equilibrium between the two, which afforded ample means to each to protect itself against the aggression of the other: but as it now stands, one section has exclusive power of controlling the government, which leaves the other without any adequate means of protecting itself against its encroachment and oppression. To place this subject distinctly before you, I have, Senators, prepared a brief statistical statement, showing the relative weight of the two sections in the government, under the first census of 1790, and the last census of 1840.

According to the former the population of the United States, including Vermont, Kentucky and Tennessee, which then were in their incipient condition of becoming states, but were not actually admitted, amounted to 3,929,827. Of this number the Northern states had 1,977,899, and the Southern 1,952,072, making a difference of only 25,827 in favor of the former states. The number of states, including Vermont, Kentucky and Tennessee, was sixteen, of which eight, including Vermont, belonged to the Northern section, and eight, including Kentucky and Tennessee, to the Southern, making an equal division of the states between the two sections, under the first census. There was a small preponderance in the House of Representatives, and in the electoral college, in favor of the Northern, owing to the fact that, according to the provisions of the constitution, in estimating federal numbers five slaves count but three; but it was too small to affect sensibly the perfect equilibrium of numbers which, with that exception, existed at that time—a true, perfect equilibrium. Such was the equality of the two sections when the states composing them agreed to enter into a federal Union. Since then the equilibrium between them has been greatly disturbed.

According to the last census, the aggregate population of the United States amounted to 17,063,357, of which the Northern section contained 9,728,920, and the Southern 7,334,437, making a difference, in round numbers, of 2,400,000. The number of states had increased from sixteen to twenty-six, making an addition of ten states. In the mean time, the position of Delaware had become doubtful, as to which section she properly belonged. Considering her as neutral, the Northern states will have thirteen, and the Southern states twelve, making a difference in the Senate of two Senators in favor of the former. According to the apportionment under the census of 1843, there were 223 members of the House of Representatives, of which the Northern states had 135, and the Southern states (considering Delaware as neutral) 87; making a difference in favor of the former, in the House of Representatives, of 48; the difference in the Senate of two members added to this, gives to the North in the electoral college a majority of 50. Since the census of 1840, four states have been added to the Union: Iowa, Wisconsin, Florida and Texas. They leave the difference in the Senate as it stood when the census was taken, but add two to the side of the North in the House, making the present majority in the House, in its favor, of 50, and in the electoral college, of 52.

The result of the whole is to give the Northern section a predominance in every department of the government, and thus concentrate in it the two elements which constitute the federal government—majority of states, and a majority of their population, estimated in federal numbers. Whatever section concentrates the two in itself must possess control of the entire government.

But we are just at the close of the sixth decade, and the commencement of the seventh. The census is to be taken this year, which must add greatly to the decided preponderance of the North in the House of Representatives, and in the electoral college. The prospect is, also, that a great increase will be added to its present preponderance during the period of the decade, by the addition of new states. Two territories—Oregon and Minnesota—are already in progress, and strenuous efforts are making to bring in three additional states from the territory recently conquered from Mexico, which, if successful, will add three other states in a short time to the Northern section, making five states, and increasing its present number of states from 15 to 20, and of its Senators from 30 to 40. On the contrary, there is not a single territory in progress in the Southern section, and no certainty that any additional state will be added to it during the decade.

The prospect then is, that the two sections in the Senate, should the efforts now made to exclude the South from the newly conquered territories succeed, will stand, before the end of the decade, twenty Northern States to twelve Southern (conceding Delaware as neutral,) and forty Northern Senators to twenty-four Southern. This great increase of Senators added to the great increase of members of the House of Representa-

tives, and electoral college, on the part of the North, which must take place upon the next decade, will effectually and eventually destroy the equilibrium which existed when the government commenced.

Had this destruction been the operation of time, without the interference of government, the South would have had no reason to complain; but such was not the fact. It was caused by the legislation of this Government, which was appointed as the common agent of all, and charged with the protection of the interests and security of all. The legislation by which it has been effected may be classed under three heads. The first is that series of acts by which the South has been excluded from the common territory belonging to all of the states, as the members of the federal Union, which has had the effect of extending vastly the portion allotted to the Northern section, and restricting within narrow limits the portion left the South. The next consists in adopting a system of revenue and disbursements by which an undue proportion of the burthen of taxation has been imposed upon the South, and an undue proportion of its proceeds appropriated to the North; and the last in a system of political measures by which the original character of the Government has been radically changed.

I propose to bestow upon each of these, in order as they stand, a few remarks, with the view of showing that it is owing to the action of this Government that the equilibrium between the two sections has been destroyed; and the whole power of the system centred in a sectional majority.

The first of the series of acts by which the South was deprived of its due share of the territories originated with the confederacy which preceded the existence of this Government. It is to be found in the provisions of the ordinance of 1787. Its effect was to exclude the South entirely from that vast and fertile region which lies between the Ohio and the Mississippi, now embracing five states and one territory. The next of the series is the Missouri compromise, which excluded the South from that large portion of Louisiana which lies North of 36 30, excepting what is inclosed in the state of Missouri. The last of the series excludes the South from the whole of the Oregon territory. All these in the slang of the day were what is called slave territory, and not free soil; that is, territories belonging to slaveholding powers, and open to the emigration of masters with their slaves. By these several acts the South was excluded from 1,238,025 square miles, an extent of country considerably exceeding the entire valley of the Mississippi.

To the South was left the portion of the territory of Louisiana lying South of 36 30, and the portion North of it included in the state of Missouri; the portion lying South of 36 30, includes the state of Louisiana and Arkansas, and the territory lying West of the latter and South of 36 30 called the Indian country. A portion lying South of this, with the territory of Florida, now the State, makes in the whole 289,503 square miles. —To this must be added the territory acquired with Texas. If the whole should be added to the Southern section, it would make an increase of 325,520, which would make the whole left to the South 609,023. But a large part of Texas is still in contest between the two sections, which leaves uncertain what will be the real extent of the portion of her territory that may be left to the South.

I have not included the territory recently acquired by the treaty with Mexico. The North is making the most strenuous efforts to appropriate the whole to herself, by excluding the South from every foot of it. If she should succeed, it will add to that from which Southern laws have already been excluded 527,078 square miles, and would increase the whole the North has appropriated to herself, to 1,764,023, not including the portion which she may succeed in excluding us from in Texas. To sum up the whole, the United States, since they declared their independence, have acquired 2,373,046 square miles of territory, from which the North will have excluded the South, if she should succeed in monopolizing the newly acquired territories, about three-fourths of the whole, and leave the South but about one-fourth.

Such is the first and great cause that has destroyed the equilibrium between the two sections in the government.

The next is the system of revenue and disbursements which has been adopted by the Government. It is well known that the main source from which the government has derived its revenue is the duties on imports. I shall not undertake to show that all such duties must necessarily fall mainly on the exporting states, and that the South, as the great exporting portion of the Union, has in reality paid vastly more than her due proportion of the revenue, because I deem it unnecessary, as the subject has on so many occasions been fully discussed. Nor shall I, for the same reason, undertake to show that a far greater portion of the revenue has been disbursed at the North than its due share; and that the joint effect of these causes has been to transfer a vast amount from the South to the North, which, under an equal system of revenue and disbursement, would not have been lost to her. If to this be added that many of the duties were imposed, not for revenue but for protection, that is, intended to put money,

not into the treasury, but directly into the pocket of the manufacturers, some conception may be formed of the immense amount which in the long course of so many years has been transferred from the South to the North. There are no data by which it can be estimated with any certainty; but it is safe to say that it amounts to hundreds of millions of dollars. Under the most moderate estimate, it would be sufficient to add greatly to the wealth of the North, and by that greatly increase her population, by attracting emigration from all quarters in that direction.

This, combined with the great and primary cause, amply explains why the North has acquired a preponderance over every department of the government, by its disproportionate increase of population and states. The former, as has been shown, has increased, in fifty years, 2,400,000 over that of the South. This increase of population, during so long a period, is satisfactorily accounted for by the number of emigrants, and the increase of their descendants, which has been attracted to the Northern section from Europe and the Southern section, in consequence of the advantages derived from the causes assigned. If they had not existed—if the South had retained all the capital which has been extracted from her by the fiscal action of the government, and if they had not been excluded, by the ordinance of 1787 and the Missouri compromise, from the region lying between the Ohio and the Mississippi, and between the Mississippi and the Rocky Mountains, North of 36° 30', it scarcely admits of a doubt that she would have divided the emigration with the North, and by retaining her own people, would have at least equalled the North in population, under the census of 1840, and probably under that about to be taken. She would also, if she had retained her equal rights in those territories, have maintained an equality in the number of states with the North, and have preserved the equilibrium between the two sections that existed at the commencement of the government. The loss, then, of the equilibrium, is to be attributed to the action of this Government.

But while these measures were destroying the equilibrium between the two sections, the action of Government was leading to a radical change in its character by concentrating all the power of the system in itself. The occasion will not permit me to trace the measures by which this great change has been consummated. If it did, it would not be difficult to show that the process commenced at an early period of the government; that it proceeded almost without interruption, step by step, until it absorbed, virtually, its entire powers. Without, however, going through the whole process to establish the fact, it may be done satisfactorily by a very short statement.

That this government claims, and practically maintains, the right to decide in the last resort, as to the extent of its powers, will scarcely be denied by any one conversant with the political history of the country. It is equally certain that it also claims the right to resort to force, to maintain whatever power she claims against all opposition. Indeed, it is apparent from what we daily hear, that this has become the prevailing and fixed opinion of a great majority of the community. Now, I ask, what limitation can possibly be placed upon the powers of a government claiming and exercising such rights? And, if none can be, how can the separate government of the states maintain and protect the powers reserved to them by the constitution, or the people of the several states maintain those which are reserved to them, and among them, their sovereign powers, by which they ordained and established, not only their separate state constitutions and governments, but also the constitution and government of the United States? But if they have no constitutional means of maintaining them against the right claimed by this government, it necessarily follows that they hold them at its pleasure and discretion, and that all the powers of the system are, in reality, concentrated in it. It also follows that the character of the government has been changed in consequence, from a federal republic, as it originally came from the hands of its framers, and that it has been changed into a great national consolidated democracy. It has, indeed, at present, all the characteristics of the latter, and not one of the former, although it still retains its outward form.

The result of the whole of these causes combined, is that the North has acquired a decided ascendancy over every department of this government, and through it, a control over all the powers of the system. A single section, governed by the will of the numerical majority, has now, in fact, the control of the government, and the entire powers of the system. What was once a constitutional federal republic, is now converted, in reality, into one as absolute as that of the autocrat of Russia, and as despotic in its tendency as any absolute government that ever existed.

As, then, the North has the absolute control over the government, it is manifest that on all questions between it and the South, where there is a diversity of interests, the interest of the latter will be sacrificed to the former, however oppressive the effects may be, as the South possesses no means by which it can resist, through the action of the government. But if there were no questions of vital importance to the South, in refer-

ence to which there was a diversity of views between the two sections, this state of things might be endured, without the hazard of destruction by the South. But such is not the fact. There is a question of vital importance to the Southern section, in reference to which the views and feelings of the two sections are opposite and hostile as they can possibly be.

I refer to the relation between the two races in the Southern section, which constitutes a vital portion of her social organization. Every portion of the North entertains views and feelings more or less hostile to it. Those most opposed and hostile regard it as a sin, and consider themselves under the most sacred obligation to use every effort to destroy it. Indeed, to the extent that they conceive they have power, they regard themselves as implicated in the sin, and responsible for suppressing it, by the use of all and every means. Those less opposed and hostile regard it as a crime—an offence against humanity, as they call it, and although not so fanatical, feel themselves bound to use all efforts to effect the same object. While those who are least opposed and hostile regard it as a blot and a stain on the character of what they call the nation, and feel themselves accordingly bound to give it no countenance or support. On the contrary, the Southern section regards the relation as one which cannot be destroyed without subjecting the two races to the greatest calamity, and the section to poverty, desolation and wretchedness, and accordingly feel bound, by every consideration of interest, safety and duty, to defend it.

This hostile feeling on the part of the North toward the social organization of the South, long lay dormant; but it only required some cause, which would make the impression on those who felt most intensely that they were responsible for its continuance, to call it into action. The increasing power of this government, and of the control of the Northern section over all of it, furnished the cause. It was they made an impression on the minds of many, that there was little or no restraint to prevent the government to do whatever it might choose to do. This was sufficient of itself to put the most fanatical portion of the North in action, for the purpose of destroying the existing relation between the two races in the South.

The first organized movement toward it commenced in 1835. Then, for the first time, societies were organized, presses established, lecturers sent forth to excite the people of the North, and incendiary publications scattered over the whole South through the mail. The South was thoroughly aroused; meetings were held everywhere, and resolutions adopted, calling upon the North to apply a remedy to arrest the threatened evil, and pledging themselves to adopt measures for their own protection if it was not arrested. At the meeting of Congress, petitions poured in from the North, calling upon Congress to abolish slavery in the District of Columbia, and to prohibit what they called the internal slave trade between the states, avowing at the same time that their ultimate object was to abolish slavery not only in the District but in the states, and throughout the Union. At this period, the number engaged in the agitation was small, and it possessed little or no personal influence.

Neither party in Congress had, at that time, any sympathy with them or their cause. The members of each party presented their petitions with great reluctance. Nevertheless, as small and as contemptible as the party then was, both of the great parties of the North dreaded them. They felt that, though small, they were organized in reference to a subject which had a great and a commanding influence over the Northern mind. Each party, on that account, feared to oppose their petitions, lest the opposite party should take advantage of the one who opposed by favoring them. The effect was that both united in insisting that the petitions should be received, and Congress take jurisdiction of the subject for which they prayed; and, to justify their course, took the extraordinary ground that Congress was bound to receive petitions on every subject, however objectionable it might be, and whether they had or had not jurisdiction over the subject. These views prevailed in the House of Representatives, and partially in the Senate, and thus the party succeeded, in their first movement, in gaining what they proposed—a position in Congress from which the agitation could be extended over the whole Union. This was the commencement of the agitation which has ever since continued, and which, as it is now acknowledged, has endangered the Union itself.

As to myself, I believed, at that early period, if the party who got up the petitions should succeed in getting Congress to take jurisdiction, that agitation would follow, and that it would, in the end, if not arrested, destroy the Union. I then so expressed myself in debate, and called upon both parties to take ground against taking jurisdiction, but in vain. Had my voice been heard, and Congress refused taking jurisdiction by the united votes of all parties, the agitation which followed would have been prevented, and the fanatic movements accompanying the agitation, which have brought us to our present perilous condition, would have become extinct from the want of something to feed the flame. That was the time for the North to show her devotion to

the Union; but unfortunately, both of the great parties of that section were so intent on obtaining or retaining party ascendancy, that all other considerations were overlooked or forgotten.

What have since followed are but natural consequences. With the success of their first movement, this small fanatical party began to acquire strength, and with that, to become an object of courtship to both of the great parties. The necessary consequence was, a farther increase of power, and a gradual tainting of the opinions of both of the other parties with their doctrines, until the infection has extended over both, and the great mass of the population of the North, who, whatever may be their opinion of the original abolition party, which still keeps up its distinctive organization, hardly ever fail, when it comes to acting, to co-operate in carrying out their measures. With the increase of their influence, they extend the sphere of their action.—In a short period after they had commenced their first movement, they had acquired sufficient influence to induce the Legislatures of most of the Northern states to pass acts which, in effect, abrogated the provision of the constitution that provides for the delivering up of fugitive slaves.

Not long after, petitions followed to abolish slavery in forts, magazines and dock-yards, and all other places where Congress had exclusive power of legislation. This was followed by petitions, and resolutions of Legislatures of the Northern States, and popular meetings, to exclude the Southern states from all territories acquired, or to be acquired, and to prevent the admission of any state hereafter into the Union which by its constitution does not prohibit slavery. And Congress is invoked to do all this expressly with the view of the final abolition of slavery in the States. That has been avowed to be the ultimate object, from the beginning of the agitation until the present time, and yet the great body of both parties of the North, with the full knowledge of the fact, although disowning the abolitionists, have co-operated with them in almost all their measures.

Such is a brief history of the agitation, so far as it has yet advanced. Now, I ask, Senators, what is there to prevent its farther progress, until it fulfills the ultimate end proposed, unless some decisive measure should be adopted to prevent it? Has any one of the causes, which have added to its increase from its original small and contemptible beginning, until it has attained its present magnitude, diminished in force? Is the original cause of the movement—that slavery is a sin, and ought to be suppressed—weaker now than at the commencement? Or is the abolition party less numerous or influential? Or have they less influence over elections? or less control over the two great parties of the North in elections? Or has the South greater means of influencing or controlling the movements of this government now than it had when the agitation commenced? To all these questions but one answer can be given. No. No. No. The very reverse is true. Instead of weaker, all the elements in favor of agitation are stronger now than they were in 1835, when the agitation first commenced. While all the elements of influence on the part of the South are weaker, I again ask, what is to stop this agitation, unless something decisive is done, until the great and final object at which it aims—the abolition of slavery in the South—is consummated? Is it then, not certain that, if something decisive is not now done to arrest it, the South will be forced to choose between abolition and secession? Indeed, as events are now moving, it will not require the South to secede, to dissolve the Union; agitation will of itself effect it, of which its past history furnishes abundant proof, as I shall next proceed to show.

It is a great mistake to suppose that disunion can be effected by a single blow. The cords which bind these States together in one common union are far too numerous and powerful for that. Disunion must be the work of time. It is only through a long process and in succession that the cords can snap, until the whole fabric falls asunder. Already the agitation of the slavery question has snapped some of the most important, and has greatly weakened all the others, as I shall proceed to show.

The cords that bind the states together are not only many, but various in character. Among them some are spiritual or ecclesiastical; some political; others social; others appertain to the benefits conferred by the Union; and others to the feelings of duty and obligation.

The strongest of those of a spiritual and ecclesiastical nature consisted in the unity of the great religious denominations, all of which originally embraced the Union. All these denominations, with the exception, perhaps, of the Catholics, were organized very much upon the principle of our political institutions. Beginning with smaller meetings, corresponding with the political divisions of the country, their organization terminated in one great central assemblage, corresponding very much with the character of Congress. At these meetings the principal clergymen and lay members of the respective denominations from all parts of the Union met, to transact business relating

to their common concerns. It was not confined to what appertained to the doctrines and discipline of the respective denominations, but extended to plans for disseminating the Bible, establishing missionaries, distributing tracts, and establishing presses for the publication of tracts, newspapers and periodicals, with a view of diffusing religious information, and for the support of the doctrines and creeds of the denomination. All this combined contributed greatly to strengthen the bonds of the Union. The strong ties which held each denomination together, formed a strong cord to hold the whole Union together; but as powerful as they were, they have not been able to resist the explosive effect of slavery agitation.

The first of these cords which snapped under its explosive force was that of the powerful Methodist Episcopal Church. The numerous and strong ties which held it together are all broken, and its unity gone. They now form separate churches, and instead of that feeling of attachment and devotion to the interests of the whole church, which was formerly felt, they are now arrayed into two hostile bodies, engaged in litigation about what was formerly their common property.

The next cord that snapped was that of the Baptists, one of the largest and most respectable of the denominations; that of the Presbyterians is not entirely snapped, but some of its strands have given way; that of the Episcopal church is the only one of the four great Protestant denominations which remains unbroken and entire. The strongest cord of a political character consists of the many and strong ties that have held together the two great parties, which have, with some modifications, existed from the beginning of the government. They both extended to every portion of the Union, and had strongly contributed to hold all its parts together. But this powerful cord has proved no better than the spiritual. It resisted for a long time the explosive tendency of the agitation, but has finally snapped under its force—if not entirely, nearly so. Nor is there one of the remaining cords which has not been greatly weakened. To this extent the Union has already been destroyed by agitation, in the only way it can be, by snapping asunder and weakening the cords which bind it together.

If the agitation goes on, the same force acting with increased intensity as has been shown, there will be nothing left to hold the states together, except force—but surely that can, with no propriety of language, be called a Union, when the only means by which the weaker is held connected with the stronger portion is force. It may, indeed, keep them connected, but the connection will partake much more of the character of subjugation on the part of the weaker to the stronger, than the Union of free independent and sovereign states in one federal union, as they stood in the early stages of the Government, and which only is worthy of the sacred name of union.

Having now, Senators, explained what it is that endangers the Union, and traced it to its cause, and explained its nature and character, the great question again recurs, how can the Union be saved? To this I answer, there is but one way by which it can be, and that is, by adopting such measures as will satisfy the states belonging to the Southern section that they can remain in the Union consistently with their honor and their safety. There is again, only one way by which that can be effected, and that is, by removing the causes by which this belief has been produced. Do that, and discontent will cease, harmony and kind feelings between the sections be restored, and every apprehension of danger to the Union be removed. The question then is: By what means can this be done? But before I undertake to answer this question, I propose to show by what it cannot be done.

It cannot then be done by eulogies on the Union, however splendid or numerous. The cry of Union! Union! the glorious Union! can no more prevent disunion than the cry of health! health! glorious health! on the part of the physician, can save a patient lying dangerously ill. So long as the Union, instead of being regarded as a protector, is regarded in the opposite character by not much less than a majority of the states, it will be in vain to attempt to concentrate them by pronouncing eulogies on it.

Besides, this cry of Union comes commonly from those whom we cannot believe to be sincere. It usually comes from our assailants, but we cannot believe them to be sincere; for if they loved the Union, they would necessarily be devoted to the constitution. It made the Union, and to destroy the constitution would be to destroy the Union. But the only reliable and certain evidence of devotion to the constitution is, to abstain on the one hand from violating it, and to repel, on the other, all attempts to violate it. It is only by faithfully performing those high duties, that the constitution can be preserved, and with it the Union.

But how then stands the profession of devotion to the Union by our assailants, when brought to this test? Have they abstained from violating the constitution? Let the many acts passed by the Northern states to set aside and annul the clause of the constitution providing for the delivery up of fugitive slaves, answer. I cite this, not that it is the only instance (for there are many others), but because the violation in this particular is too notorious and palpable to be denied. Again, have they stood forth faith-

fully to repel violations of the constitution? Let their course in reference to the agitation of the slavery question, which was commenced and has been carried on for fifteen years, avowedly for the purpose of abolishing slavery in the states—an object all acknowledge to be unconstitutional—answer. Let them show a single instance, during this long period, in which they have denounced the agitators, or their many attempts to effect what is admitted to be unconstitutional, or a single measure which they have brought forward for that purpose. How can we, with all those facts before us, believe that they are sincere in their professions of devotion to the Union; or avoid believing that, by assuming the cloak of patriotism, their profession is but intended to increase the vigor of their assaults, and to weaken the force of our resistance?

Nor can we regard the profession of devotion to the Union, on the part of those who are not our assailants, as sincere, when they pronounce eulogies upon the Union evidently with the intent of charging us with disunion, without uttering one word of denunciation against our assailants. If friends of the Union, their course should be to unite with us in repelling these assaults, and denouncing the authors as enemies of the Union. Why they avoid this, and pursue the course they obviously do, it is for them to explain.

Nor can the Union be saved by invoking the name of the illustrious Southerner whose mortal remains repose on the western bank of the Potomac. He was one of us—a slave-holder and a planter. We have studied his history, and find nothing in it to justify submission to wrong. On the contrary, his great fame rests on the solid foundation, that while he was careful to avoid doing wrong to others, he was prompt and decided in repelling wrong. I trust that, in this respect, we profited by his example.

Nor can we find anything in his history to deter us from seceding from the Union, should it fail to fulfill the objects for which it was instituted, by being permanently and hopelessly converted into the means of oppression instead of protection. On the contrary we find much in his example to encourage us, should we be forced to the extremity of deciding between submission and disunion.

There existed then as well as now, a union—that between the parent country and her then colonies. It was a union that had much to endear it to the people of the colonies. Under its protecting and superintending care the colonies were planted and grew up and prospered through a long course of years, until they became populous and wealthy. Its benefits were not limited to them. Their extensive agricultural and other productions gave birth to a flourishing commerce, which richly rewarded the parent country for the trouble and expense of establishing and protecting them. Washington was born, and nurtured, and grew up to manhood under that union. He acquired his early distinction in its service; and there is every reason to believe that he was devotedly attached to it. But his devotion was a rational one. He was attached to it, not as an end, but as a means to an end. When it failed to fulfill its end, and, instead of affording protection, was converted into the means of oppressing the colonies, he did not hesitate to draw his sword, and head the great movement by which that union was forever severed, and the independence of these states established. This was the great and crowning glory of his life, which has spread his fame over the whole globe, and will transmit it to the latest posterity.

Nor can the plan proposed by the distinguished Senator from Kentucky, or that of the administration, save the Union. I shall pass by, without remark, the plan proposed by the Senator, and proceed directly to the consideration of that of the administration. I however assure the distinguished and able Senator that, in taking this course, no disrespect whatever is intended to him or to his plan. I have adopted it, because so many Senators of distinguished abilities, who were present when he delivered his speech and explanation of his plan, and who were fully capable to do justice to the side they support, have replied to him.

The plan of the administration cannot save the Union, because it can have no effect toward satisfying the states composing the Southern section of the Union, that they can consistently with safety and honor remain in the Union. It is, in fact, but a modification of the Wilmot proviso. It proposes to effect the same object—to exclude the South from all the territory acquired by the Mexican treaty. It is well known that the South is united against the Wilmot proviso, and has committed itself by solemn resolutions to resist, should it be adopted. Its opposition is not to the name, but to that which it proposes to effect. That the Southern states hold it to be unconstitutional, unjust, inconsistent with their equality as members of the common Union, and calculated to destroy irretrievably the equilibrium between the two sections. These objections equally apply to what, for brevity, I will call the Executive proviso. There is no difference between it and the Wilmot, except in the mode of effecting the object; and in that respect, I must say, that the latter is much the least objectionable. It goes to its object openly, boldly and directly. It claims for Congress unlimited power over the territories, and proposes to assert it over the territories required from Mexico, by a

positive prohibition of slavery. Not so the Executive proviso. It takes an indirect course, and in order to elude the Wilmot proviso, and thereby avoid encountering the united and determined resistance of the South, it denies, by implication, the authority of Congress to legislate for the territories, and claims the right as belonging exclusively to the inhabitants of the territories. But to effect the object of excluding the South, it takes care, in the mean time, of letting in emigrants from the Northern states, and other quarters, except emigrants from the South, which it takes special care to exclude, by holding up to them the dread of having their slaves liberated under the Mexican laws. The necessary consequence is, to exclude the South from the territory, just as effectually as would the Wilmot proviso. The only difference in this respect is, that what one proposes to effect directly and openly, the other proposes to effect indirectly and covertly.

But the Executive proviso is more objectionable still than the Wilmot, in another and more important particular. The latter, to effect its object, inflicts a dangerous wound upon the constitution, by depriving the Southern states, as joint partners and owners of the territories, of their rights in them; but it inflicts no greater wound than is absolutely necessary to effect its object. The former, on the contrary, while it inflicts the same wound, inflicts others equally great, and if possible greater, as I shall next proceed to explain.

In claiming the right for the inhabitants, instead of Congress, to legislate over the territories, in the Executive proviso, it assumes that the sovereignty over the territories is vested in the former; or, to express it in the language used in a resolution offered by one of the Senators from Texas, (Gen. Houston, now absent,) "they have the same inherent right of self-government as the people in the states." The assumption is utterly false, unconstitutional, without example, and contrary to the entire practice of the government, from its commencement to the present time, as I shall next proceed to show.

The recent movement of individuals in California to form a constitution and a state government, and to appoint Senators and Representatives, is the first fruit of this monstrous assumption. If the individuals who have made this movement had gone into California as adventurers, and if, as such, they had conquered the territory, and established their independence, the sovereignty of the country would have been vested in them as a separate and independent community. In that case they would have had the right to form a constitution and to establish a government for themselves—and if, after that, they had thought proper to apply to Congress for admission into the Union as a sovereign and independent state, all this would have been regular and according to established principles. But such is not the case. It was the United States who conquered California, and finally acquired it by treaty. The sovereignty, of course, is vested in them, and not in the individuals who have attempted to form a constitution as a state without their consent. All this is clear beyond controversy, unless it can be shown that they have since lost or been divested of their sovereignty.

Nor is it less clear that the power of legislating over the territory is vested in Congress, and not, as is assumed, in the inhabitants of the territories. None can deny that the Government of the United States have the power to acquire territories, either by war or by treaty: but if the power to acquire exists, it belongs to Congress to carry it into execution. On this point there can be no doubt, for the constitution expressly provides that Congress shall have power "to make all laws which shall be necessary and proper to carry into execution the foregoing powers," (those vested in Congress) "and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof." It matters not, then, where the power is vested; for if vested at all in the government of the United States or any of its departments or officers, the power carrying it into execution is clearly vested in Congress. But this important proviso, while it gives to Congress the power of legislating over territories, imposes important restrictions on its exercise, by restricting Congress to passing laws necessary and proper for carrying the power into execution. The prohibition extends, not only to all laws not suitable or appropriate to the object, but also to all that are unjust, unequal or unfair, for all such laws would be unnecessary and improper, and therefore, unconstitutional.

Having now established beyond controversy that the sovereignty over the territories is vested in the United States—that is, in the several states composing the Union—and that the power of legislating over them is expressly vested in Congress, it follows that the individuals in California who have undertaken to form a constitution and a state, and to exercise the power of legislation, without the consent of Congress, have usurped the sovereignty of the states and the authority of Congress, and have acted in open defiance of both. In other words, what they have done is revolutionary and rebellious in its character, anarchical in its tendency, and calculated to lead to the most dangerous consequences. Had they acted from premeditation and design, it would have been in

fact an actual rebellion, but such is not the case. The blame lies much less upon them, than upon those who have induced them to take a course so unconstitutional and dangerous. They have been led into it by language held here, and the course pursued by the executive branch of the government.

I have not seen the answer of the Executive to the calls made by the two houses of Congress, for information as to the course which it took, or the part which it acted, in reference to what was done in California. I understand the answers have not yet been printed. But there is enough known to justify the assertion that those who profess to represent and act under the authority of the Executive have advised, aided and encouraged the movement which terminated in forming what they call a constitution and a state. General Riley, who professed to act as civil Governor, called the Convention, determined on the number and distribution of the delegates, appointed the time and place of its meetings, was present during the session, and gave its proceedings his approbation and sanction. If he acted without authority, he ought to have been tried, or at least reprimanded and disarmed. Neither having been done, the presumption is that his course has been approved. This, of itself, is sufficient to identify the Executive with his acts, and to make it responsible for them. I touch not the question whether General Riley was appointed, or received the instructions under which he professed to act, from the present Executive or its predecessor. If from the former, it would implicate the preceding as well as the present administration. If not, the responsibility rests exclusively on the present.

It is manifest, from this statement, that the Executive Department has undertaken to perform acts, preparatory to the meeting of the individuals, to form their so-called constitution and State government, which appertained exclusively to Congress. Indeed, they are identical in many respects with the provisions adopted by Congress, when it gives permission to a territory to form a constitution and government, in order to be admitted as a State into the Union.

Having now shown that the assumption upon which the Executive and the individuals in California acted, throughout this whole affair, is informal, unconstitutional, and dangerous, it remains to make a few remarks, in order to show that what has been done is contrary to the entire practice of government, from its commencement to the present time.

From its commencement until the time when Michigan was admitted, the practice was uniform. Territorial governments were first organized by Congress. The government of the United States appointed the governors, judges, secretaries, marshals, and other officers, and the inhabitants of the territory were represented by legislative bodies, whose acts were subject to the revision of Congress. This state of things continued until the government of a territory applied to Congress to permit its inhabitants to form a constitution and government, preparatory to admission into the Union. The preliminary act to giving permission was to ascertain whether the inhabitants were sufficiently numerous to authorize them to be formed into a State. This was done by taking a census. That being done, and the number proving sufficient, permission was granted. The act granting it fixed all the preliminaries—the time and place of holding the convention; the qualification of the voters; establishing its boundaries, and all other measures necessary to be settled previous to admission. The act giving permission necessarily withdraws the sovereignty of the United States, and leaves the inhabitants of the incipient State as free to form their constitution and government as were the original States of the Union after they had declared their independence. At this stage, the inhabitants of the territory became for the first time a people, in legal and constitutional language. Prior to this, they were, by the old acts of Congress, called inhabitants, and not people. All this is perfectly consistent with the sovereignty of the United States, with the powers of Congress, and with the right of a people to self-government.

Michigan was the first case in which there was any departure from the uniform rule of acting. Hers was a very slight departure from established usage. The ordinance of '87 secured to her the right of becoming a State, when she should have 60,000 inhabitants. Owing to some neglect, Congress delayed taking the census. In the mean time, her population increased until it clearly exceeded more than twice the number which entitled her to admission. At this stage she formed a constitution and government without the census being taken by the United States, and Congress received the admission without going through the formality of taking it, as there was no doubt she had more than a sufficient number to entitle her to admission. She was not admitted at the first session she applied, owing to some difficulty respecting the boundary between her and Ohio. The great irregularity, as to her admission, took place at the next session, but on a point which can have no possible connection with the case of California.

The irregularity in all other cases that have since occurred, is of a similar character. In all, there existed territorial governments, established by Congress, with officers ap-

pointed by the United States. In all, the territorial government took the lead in calling conventions, and fixing preliminaries, preparatory to the formation of a constitution and admission into the Union. They all recognized the sovereignty of the United States, and the authority of Congress over the territories; and, whenever there was any departure from established usage, it was done on the presumed consent of Congress, and not in defiance of its authority, or the sovereignty of the United States over the territories. In this respect California stands alone, without usage or a single example to cover her case.

It belongs now, Senators, for you to decide what part you will act in reference to this unprecedented transaction. The Executive has laid the paper purporting to be the constitution of California before you, and asks you to admit her into the Union as a State, and the question is, will you or will you not admit her? It is a grave question, and there rests upon you a heavy responsibility. Much, very much will depend upon your decision. If you admit her, you endorse and give your sanction to all that has been done. Are you prepared to do so? Are you prepared to surrender your power of legislation for the territories—a power expressly vested in Congress by the constitution, as has been fully established? Can you, consistent with your oath to support the constitution, surrender it? Are you prepared to admit that the inhabitants of the territories possess the sovereignty over them; and that any number, more or less, may claim any extent of territory they please: may form a constitution and government, and erect it into a State, without asking your permission? Are you prepared to surrender the sovereignty of the United States over whatever territory may be hereafter acquired, to the first adventurers who may rush into it? Are you prepared to surrender virtually to the Executive department all the powers which you have heretofore exercised over the territories? If not, how can you, consistently with your duty and your oath to support the constitution, give your assent to the admission of California as a State, under a pretended constitution and government?

Can you believe that the project of a constitution which they have adopted has the least validity? Can you believe that there is such a state in reality as the state of California? No; there is no such state. It has no legal or constitutional existence. It has no validity, and can have none, without your sanction. How then, can you admit it as a state, when, according to the provisions of the constitution, your power is limited to admitting new states? That is, they must be states, existing states, independent of your sanction, before you can admit them. When you give your permission to the inhabitants of a territory to form a constitution and a state, the constitution and state they form derive their authority from the people, and not from you. The state, before admitted, is actually a state, and does not become so by the act of admission, as would be the case with California, should you admit her, contrary to constitutional provisions and established usages heretofore.

The Senators on the other side of the chamber must permit me to make a few remarks in this connection, particularly applicable to them. With the exception of a few Senators from the South, sitting on that side of the chamber, when the Oregon question was before this body, not two years since, you took, if I mistake not, universally, the ground that Congress had the sole and absolute power of legislating for the territories. How, then, can you now, after the short interval which has elapsed, abandon the ground which you then took, and thereby virtually admit that the power of legislating, instead of being in Congress, is in the inhabitants of the territories? How can you justify and sanction by your votes the acts of the Executive, which are in direct derogation to what you then contended for? But, to approach still nearer to the present time, how can you, after condemning, a little more than a year since, the grounds taken by the party which you defeated at the last election, wheel round and support by your votes the grounds which, as explained by the candidate of the party at the last election, are identical with those on which the Executive has acted in reference to California? What are we to understand by all this? Must we conclude that there is no sincerity, no faith, in the acts and declaration of public men, and that all is mere acting or hollow professions? Or are we to conclude that the exclusion of the South from the territories acquired from Mexico is an object of so paramount a character in your estimation that right, justice, constitution and consistency must all yield, when they stand in the way of our exclusion?

But, it may be asked, what is to be done with California, should she not be admitted? I answer, remand her back to the territorial condition, as was done in the case of Tennessee, in the early stage of the government. Congress, in her case, had established a territorial government, in the usual form, with a Governor, Judges, and other officers appointed by the United States. She was entitled, under the deed of cession, to be admitted into the Union as a state, as soon as she had 60,000 inhabitants. The territorial government believing it had the number, took a census, by which it appeared it exceeded it. She then formed a constitution as a state, and applied for admission.

Congress refused to admit her, on the grounds that the census should be taken by the United States, and that Congress had not determined whether the territory should be formed into one or two states, as it was authorized to do, under the cession. She returned quietly to her territorial condition. An act was passed to take a census by the United States, and providing that the territory should form one state. All afterward was regularly conducted, and the territory admitted as a state in due form. The irregularities in the case of California are immeasurably greater, and afford a much stronger reason for pursuing the same course. But, it may be said, California may not submit. That is not probable, but, if she should not, when she refuses, it will then be the time for us to decide what is to be done.

Having now shown what cannot save the Union, I return to the question with which I commenced—How can the Union be saved? There is but one way by which it can, with any certainty, be saved, and that is by a full and final settlement, on the principles of justice, of all the questions at issue between the two sections. The South asks for justice, simple justice, and less she ought not to take. She has no compromise to offer but the constitution, and no concessions or surrender to make. She has already surrendered so much, that she has little left to surrender. Such a settlement would go to the root of the evil, remove all cause of discontent, and satisfy the South that she could remain honestly and safely in the Union, and thereby restore the harmony and fraternal feelings between the sections which existed anterior to the Missouri agitation. Nothing else can, with any certainty, finally and forever settle the question at issue, terminate agitation, and save the Union.

But can this be done? Yes, easily; not by the weaker party, for it can of itself do nothing—not even protect itself—but by the stronger. The North has only to will it, to do justice, and perform her duty, in order to accomplish it—to do justice by conceding to the South an equal right in the acquired territory; and to do her duty by causing the stipulations relative to fugitive slaves to be faithfully fulfilled—to cease the agitation of the slave question, and provide for the insertion of a provision in the constitution, by an amendment, which will restore in substance the power she possessed of protecting herself before the equilibrium between the sections was destroyed by the action of this government. There will be no difficulty in devising such a provision—one that will protect the South, and which at the same time will improve and strengthen the government, instead of impairing or weakening it.

But will the North agree to do this? It is for her to answer this question. But I will say she cannot refuse if she has half the love of the Union which she professes to have, or without justly exposing herself to the charge that her love of power and aggrandizement is far greater than her love of the Union. At all events, the responsibility of saving the Union is on the North, and not the South. The South cannot save it by any act of hers, and the North may save it without any sacrifice whatever, unless to do justice and to perform her duties under the constitution be regarded by her as a sacrifice.

It is time, Senators, that there should be an open and manly avowal on all sides as to what is to be done. If the question is not now settled, it is uncertain whether it ever can hereafter be, and we, as the representatives of the states of this Union, regarded as governments, should come to a distinct understanding as to our respective views, in order to ascertain whether the great questions at issue between the two sections can be settled or not. If you who represent the stronger portion cannot agree to settle them on the broad principle of justice and duty, say so, and let the states we represent agree to separate and part in peace.

If you are willing we should part in peace, tell us so, and we shall know what to do when you reduce the question to submission or resistance. If you remain silent, you then compel us to infer what you intend. In that case California will become the test question. If you admit her under all the difficulties that oppose her admission, you compel us to infer that you intend to exclude us from the whole of the acquired territories, with the intention of destroying irretrievably the equilibrium between the two sections. We would be blind, not to perceive, in that case, that your real objects are power and aggrandizement; and infatuated, not to act accordingly.

I have now, Senators, done my duty, in expressing my opinions fully, freely and candidly on this solemn occasion. In doing so, I have been governed by the motives which have governed me in all the stages of the agitation of the slavery question since its commencement; and exerted myself to arrest it, with the intention of saving the Union, if it could be done; and, if it cannot, to save the section where it has pleased Providence to cast my lot, and which I sincerely believe has justice and the constitution on its side. Having faithfully done my duty to the best of my ability, both to the Union and my section, throughout the whole of this agitation, I shall have the consolation, let what will come, that I am free from all responsibility.

S P E E C H

OF THE

H O N . D A N I E L W E B S T E R ,

IN THE SENATE OF THE UNITED STATES,

ON THE SUBJECT OF SLAVERY.

[DELIVERED MARCH 7. 1850.]

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The VICE PRESIDENT stated the first business before the Senate to be the unfinished business of yesterday—the motion to refer to the Committee on Territories the message of the President of the United States, transmitting the constitution of California, upon which the Senator from Wisconsin [Mr. WALKER] had the floor.

Mr. WALKER.—Mr. President, this audience has not this morning assembled to hear me. There is but one man, in my opinion, who could have attracted them, and they expect to hear him. I feel it my duty, as well as my pleasure, to yield the floor to the honorable senator from Massachusetts, as I understand it is not material with him upon which of the two questions before the Senate he speaks.

Mr. WEBSTER.—Before I go on I must return my thanks to the Senator from Wisconsin [Mr. WALKER] and the Senator from New York [Mr. SEWARD] for their kind courtesy in allowing me to address the Senate this morning.

I wish to speak to-day, not as a Massachusetts man, nor as a Northern man, but as an American, and a member of the Senate of the United States. It is fortunate there is a Senate of the United States—a body not moved from its propriety, not lost to a just sense of its own dignity or its own high responsibility—a body to which the country looks with confidence—wise, moderate, patriotic, and with true feeling. It is not to be denied that we live in the midst of strong agitations, and in the midst of very considerable dangers to our institutions of government. The imprisoned winds are let loose. “The East, the North, and the stormy South, are all combined to make the whole ocean toss its billows to the skies, and disclose its profoundest depths.” I do not affect to hold, or to be fit to hold, the helm in this combat with the political elements; but I have a duty to perform, and I mean to perform it with fidelity—not without a sense of surrounding dangers, but not without hope. I have a part to act, not for my own security or safety—for I am looking out for no fragment upon which to float away from the wreck, if wreck is to ensue—but for the good of the whole and the preservation of the whole. There is that which will keep me to my duty during this struggle, whether the sun and the stars shall appear or shall not appear for many days.

I speak to day for the preservation of the Union, “Hear me for my cause.” I speak to-day from a solicitous and anxious desire for the restoration to the country of that quiet and that harmony which make the blessings of this Union so rich and so dear to us all. “Believe me for mine honor.” These are the topics that I propose to myself to discuss. These are the motives and the sole motives to influence me to communicate my opinions to the Senate and to the country: and if I can do any thing, however little, for the promotion of these ends, I shall have accomplished all that I wish.

Mr. President, it may not be amiss to recur very briefly to the events, equally sudden and extraordinary, which have brought the political condition of this country to be what it now is. In May, 1846, the United States declared war against Mexico. Our armies, then on the frontiers, entered the provinces of that republic, met and defeated all her troops, penetrated her mountain passes, and occupied her capital. The marine forces of the United States took possession of her ports and towns on the Atlantic and the Pacific. In less than two years a treaty was negotiated, by which Mexico ceded to the United States a vast extent of territory, extending for seven or eight hundred miles along the shores of the Pacific, running back over the mountains and across the deserts, till it reached the frontier State of Texas. It so happened that, in the distracted and feeble state of the Mexican government, before the declaration of war by the United States against Mexico had become known in California, the people of California, under the direction of American officers, perhaps—Colonel Doniphan in particular—overturned the existing provincial government of California, of Mexican authority, and run

up an independent flag. When the news arrived at San Francisco, that war had been declared by the United States against Mexico, this independent flag was pulled down, and the stars and stripes of this government hoisted in its stead. So, sir, before the war was over, the powers of the United States, military and naval, had possession of Upper California, and a great rush of emigrants, from various portions of the world, took place into California in 1846 and 1857.

And now behold another wonder. In January 1848, the Mormons it is said, or some of them, made a discovery of an extraordinary rich mine of gold—or rather of a very great quantity of gold, hardly fitted to be called a mine, because it lay so near the surface—at the lower part of the South or American branch of the Sacramento. They endeavoured to conceal their discovery, and did so for some time. Near the same time another discovery—perhaps of greater importance—was made of gold in a higher part of the American branch of the Sacramento, and near to the fort so called. The fame of those discoveries spread far and wide. This excited more and more that spirit of emigration towards California which had already taken place. Persons crowded in hundreds and thousands towards the Bay of San Francisco. This, as I have said, took place in the winter and spring of 1848. The “diggings” commenced in the spring of that year; and from that time to this, the search for gold has been prosecuted with a success not heretofore known in the history of the globe. We all know how incredulous the American public was of the accounts which first reached us of this discovery. But we all know that they received and continue to receive daily confirmation; and down to the present moment, I suppose that the assurances are as strong, after the experience of those several months, that there are mines of gold apparently inexhaustible in the regions near San Francisco, in California, as they were at any period of the early transmission to us of those accounts.

It so happened that, although in a time of peace, it became a very great subject for legislative consideration and legislative decision to provide a proper territorial government for California; but differences of opinion in the councils of the government prevented the establishment of any such territorial government for California at the last session of Congress. Under this state of things, the inhabitants of San Francisco and California, then amounting to a great number of persons, in the summer of last year, though it their duty to establish a local government. Under the proclamation of General Riley, the people chose delegates to a convention, and that convention met at Monterey. They framed a constitution for the State of California. It was adopted by the people of California in their primary character. Desirous of immediate connection with the United States, senators were appointed, and representatives chosen, who have come hither, bringing with them the authenticated constitution of the State of California, and they now present themselves, asking, in behalf of that State, that it may be admitted into the Union as one of the United States. This constitution contains an express prohibition against slavery or involuntary servitude in the State of California. It is said, and I suppose truly, that of the members who composed the convention, some thirty were natives and had been residents of the slaveholding States, and the residue, perhaps about twenty, were not such.

Mr. HALE—Will the honorable Senator give way till order is restored?

Mr. CASS—I trust, Mr. President, that the scene of the other day will not be renewed to-day. The Sergeant-at-Arms should display more energy, and take care to preserve order.

The VICE PRESIDENT—The Sergeant-at-Arms will close the doors, and permit no more to be admitted.

Order being restored,

Mr. WEBSTER resumed. It is this circumstance that has contributed to raise—I do not say that it has wholly raised—a dispute upon the propriety of the admission of California into the Union under these circumstances.

It is not to be denied, Mr. President—nobody thinks of denying—that, whatever reasons were assigned for the commencement of the late war with Mexico, it was prosecuted for the acquisition of territory, and under the argument that the cession of territory was the only form in which proper compensation could be made to the United States by Mexico for various claims and demands which the people of this country had against her. At any rate, it will be found that President Polk, in a message at the commencement of the session in December, 1847, avowed that the war was to be prosecuted till some acquisition of territory was obtained. And as the acquisition was south of the line of the United States, in warm climates and countries, it was naturally expected, I suppose, by the South, that whatever acquisitions were made in that region would be added to the slaveholding part of the United States. Events have turned out as was not expected, and that expectation has not been realized; and therefore, in some degree, disappointment and surprise have been excited. In other words, it is obvious that the question which has so long harassed the country, and at some times very seriously alarmed the minds of wise and good men, has come upon us for a fresh discussion—the question of slavery in these United States.

Now, sir, I propose, perhaps at some little expense to the attention of the Senate, to review historically this question of slavery, which, partly in consequence of its own acts, and partly in consequence of the manner in which it has been discussed in one and the other portions of the country, has been the source of so much alienation and unkind feeling in different portions of the United States. We all know that slavery has existed in the world from time immemorial. There was slavery in the earliest history of oriental nations. There was slavery among the Jews. The theocratic government of that people made no injunctions against it. There was slavery among the Greeks; and the ingenious philosophy of the Greeks found, or sought to find, a justification of it exactly upon the grounds which have been assumed for such a justification in this country, that is, a natural and original difference between the races of mankind—the inferiority of the colored or black race to the white. The Greeks justified their system of slavery upon that ground precisely. They held the Africans and some portions of the Asiatic tribes to be inferior to the white race. They did not show, I think, by any close process of logic, that, if that were true, the more intelligent and the stronger had therefore the right to subjugate the weaker. A more manly philosophy and jurisprudence of the Romans placed the justification on entirely different grounds. The Roman jurists, from the very first dawn to the fall of the empire, admitted that slavery was against the natural law, by which they maintained that all men, of whatever clime, color, or capacity, were equal. But they justified slavery, first, upon the authority of the laws of nations, arguing, and arguing truly, that at that day the conventional law of nations admitted that captives in war—whose lives, according to the notion of that time, were at the absolute disposal of the captor—might, in exchange for exemption from death, be made slaves for life, and that that servitude might descend to their posterity. The jurists of Rome also maintained that by the civil law there might be servitude and slavery, personal and hereditary: first, by the voluntary act of the individual, who might sell himself into slavery; secondly, by his being received into a state of servitude by his creditors, to satisfy the debts he had incurred; and thirdly, by being placed in a state of servitude or slavery for crime.

At the introduction of Christianity into the world, the Roman empire was full of slaves. I suppose there is to be found no injunction against that relation between man and man in the teachings of the Gospel by Jesus Christ, or by any of his apostles. The object of the instructions given to mankind by the founder of Christianity was to touch the heart, purify the soul, and improve the lives of individual men. That object went directly to the first foundation of the political and social relations of men, to raise the individual heart and mind of man. Now, sir, upon the general nature, and character, and lawfulness of slavery, there exists a wide difference of opinion between the Northern portion of this country and the Southern. It is said, on the other side, that if not the subject of any injunction, or any direct prohibition in the New Testament, slavery is a wrong; that it is founded merely in the right of the strongest; that it is oppression; it is like all unjust wars; like all those conflicts by which mighty nations subject weaker nations to their will. They think slavery, in its nature—whatever can be said of it in the modifications which take place in it in fact—is not according to the “meek spirit” of the apostle; it is not “kindly affection”; it does not “seek another’s, and not its own”; it does not “let the oppressed go free.” These are sentiments that are cherished, recently with greatly augmented force, among the people of the Northern states. They have taken hold of the religious sentiment of that part of the country, as they have more or less taken hold of the religious feelings of a considerable portion of mankind.

The South, upon the other side, having been accustomed to this relation between the races all their lives, from their birth—having been taught, in general, to treat the subjects of this bondage with care and kindness, and I believe, in general, to feel for them great care and kindness—have not taken this view of the subject which I have mentioned. There are thousands of religious men, with consciences as tender as those of any of their brethren at the North, who do not see the unlawfulness of slavery; and there are more, thousands, perhaps, that, whatever they may think of it in its origin, and as a matter depending upon natural right, yet take things as they are, find slavery to be an established relation of society where they live, and see no way in which—let their opinions upon the abstract question be what they may—it is in the power of the present generation to relieve themselves from this relation. And, in this respect, candor obliges me to say that I believe they are just as conscientious, many of them—and of the religious people, all of them—as we are in the North, holding different sentiments.

Why, sir, the honorable member from South Carolina [Mr. Calhoun] the other day alluded to the separation of that great religious community, the Methodist Episcopal Church. That separation was brought about by differences of opinion upon this particular subject of slavery. I felt great concern, as that dispute went on, about the result. I was anxious—I was in hope—that the differences of opinion might be healed; because I look upon that religious community as one of the great props of religion and

morals throughout the whole country, from Maine to New Orleans. The result was against my wishes and against my hopes. I have read all their proceedings, all their arguments; but I have never yet been able to come to the conclusion that there was any real ground for that separation—in other words, that any good could be produced by that separation.

Sir, when questions of this kind take hold of the religious sentiments of mankind, and come to be discussed in religious assemblies, by clergy and laity, there is always to be expected, and always to be feared, a great degree of excitement. It is in the nature of man, manifested by his whole history, that religious disputes are apt to become warm. Men's strength of conviction is proportioned to their view of the magnitude of the question.

In all such disputes, there will sometimes be men to be found, with whom everything will be absolutely wrong or absolutely right. They see the right clearly; they think others ought to—and they are disposed to establish a broad line of distinction between what they think right and what they hold to be wrong, and they are not seldom willing to establish that line upon their own conviction of the truth and justice of their own opinions. They are willing to mark and guard by placing along it a series of dogmas, as lines of boundary are marked by setting posts and stones.

There are men who, with clear perceptions, as they think, of their own duty, do not see how too hot a pursuit of one duty may involve them in the violation of others, or how too warm an embracement of one truth may lead them to disregard other truths equally important. As I heard it stated strongly, sir, not many days ago, these persons are disposed to mount upon some duty as a war-horse, to drive furiously in, and upon, and over, all other duties that may stand in the way.

There are men who, in times of that sort, and in disputes of that sort, are of opinion that human duties may be ascertained with the precision of mathematics. They deal with morals as with mathematics, and they think that what is right may be distinguished from what is wrong with all the precision of an algebraic equation. They have, therefore, none too much charity towards others who differ from them. They are apt to think that nothing is good but what is perfectly good; that there are no compromises or modifications to be made in submission to difference of opinion, or in deference to other men's judgment. If their perspicacious vision enables them to detect a spot on the face of the sun, they think that a good reason why the sun should be struck down from heaven. They prefer the chance of running into utter darkness, to living in heavenly light, if that heavenly light is to be not absolutely without any imperfection.

These are impatient men, too impatient always to give heed to the admonition of St. Paul, that we are not "to do evil that good may come," too impatient to wait for the slow progress of moral causes in the improvement of mankind. They do not remember that the doctrines and the miracles of Jesus Christ have, in 1800 years, converted only a small portion of the human race; and, among the nations converted to Christianity, they forget how many vices and crimes, public and private, still prevail, and that many of them—the public crimes especially—offences against the Christian religion, pass without exciting particular regret or indignation. Thus wars are waged, and unjust wars. I do not deny that there may be just wars; there certainly are; but it was the remark of an eminent person, not many years ago, upon the other side of the Atlantic, that it was one of the greatest reproaches to human nature that wars were sometimes necessary for the defence of nations—that they were sometimes called for against the injustice of other nations.

In this state of sentiment upon the general nature of slavery lies the cause for a great portion of these unhappy divisions, exasperations, and reproaches, which find vent and support in different parts of the Union. Slavery does exist in the United States. It did exist in the States before the adoption of this constitution, and at the time of its adoption. And now let us consider, for a moment, what was the state of sentiment in the North and the South in regard to slavery at the time this constitution was adopted. A remarkable change has taken place since. What did the wise and good men of all parts of the country think of slavery? In what estimation did they hold it in 1787, when this constitution was adopted? It will be found, sir, if we carry ourselves, by historical research, back to that day, and ascertain men's opinions by authentic records still existing among us, that there was no great diversity of opinion between the North and the South upon the subject of slavery; and it will be found that both parts of the country held it equally an evil—a moral and political evil. It will not be found that either at the North or at the South there was much—though there was some—invective against slavery, as inhuman and cruel. The great ground of objection to it was political; that it weakened the social fabric; that, taking the place of free labor, society was less strong and labor less productive. Therefore we find from all the eminent men of the South the clearest expression of their opinion that slavery was an evil; and they ascribe it—not without truth, and not without some acerbity of temper and force of language—to the injurious policy of the mother country, which, to favor the navigator, had entailed the evil upon the colonies. I need hardly refer to the publications of the day, or

to the matters of history upon record. The most eminent men, nearly all the conspicuous men, in all the South, held the same sentiments; that slavery was an evil; it was a blight; it was a blast; it was a mildew; it was a scourge; it was a curse. There were no terms of reprobation so violent in the North at that day as in the South. The North was not so much excited against it as the South. And the reason was, I suppose, that there was much less of it in the North than in the South; and the people did not see, or did not think they saw, the evils so prominently as they were seen, or thought to be seen, in the South.

Then, sir, when this constitution was formed, this was the light in which the convention viewed it. The convention reflected the judgment and the sentiment of the great men of the South. A member of the other House, whom I have not the honor to know, in a recent speech, has collected extracts from these published documents. They prove the truth of what I have said. The question then was how to deal with slavery, and how to deal with it as an evil. They came to this general result: they thought that slavery could not continue in the country if the importation of slaves should cease; and they therefore provided that for a certain period the importation of slaves might be prevented by the action of the new government. Twenty years were proposed by some gentleman—a northern gentleman, I think. Many of the southern gentlemen opposed it, as being too long. Mr. Madison especially was somewhat warm against it, and said it would bring too great an amount of that mischief into the country to allow the importation of slaves for such a period; because, in the whole of this discussion, when we are considering the sentiments and opinions in which this constitutional provision originated, we must take along with us the fact, that the conviction of all men was, that if the importation of slaves ceased, the white race would multiply faster than the black race, and that slavery would therefore gradually wear out and expire.

It may not be improper here to allude to that—I had almost said celebrated—opinion of Mr. Madison. You observe, sir, that term slavery is not used in the constitution. The constitution does not require that fugitive slaves shall be delivered up; it requires that persons bound to service in one state, and escaping into another, shall be delivered up. Mr. Madison opposed the introduction of the term slave or slavery into the constitution; for he said he did not wish to see it recognized by the constitution of the United States of America that there could be property in man.

All this took place in the convention of 1787; but connected with this, and contemporaneous with it, is another important consideration not sufficiently attended to. The convention for forming this constitution assembled in Philadelphia in May, and sat until December, 1787. During all that time, the Congress of the United States was in session at New York. It was a matter of design, as we know, that the convention should not assemble in the same State where Congress was holding its session. Almost all the public men of the country, therefore, of distinction and eminence, were in one or the other of these two assemblies; and I think it happened in some instances that the same gentlemen were members of both. If I mistake not, such was the case with Mr. RUFUS KING, then a member of Congress from Massachusetts, and at the same time a member from Massachusetts of the Convention which formed the Constitution. It was in the summer of 1787, and at the very time when the Convention in Philadelphia was framing this Constitution, that the Congress in New York was framing the ordinance of 1787. And they passed that ordinance on the 13th of July, 1787, at New York—the very month, and perhaps the very day, in which these questions of the importation of slaves and the character of slavery were debated in the Convention in Philadelphia. So far as we can now learn, there was a perfect concurrence of opinion between these respective bodies. It resulted in this: The ordinance of 1787, excluding slavery, was applied to all the territory over which the Congress of the United States had jurisdiction; that is, to all the territory Northwest of the Ohio. Three years before, Virginia and other States had made a cession of that great territory to the United States; and a most magnificent act it was. I never reflect upon it without a disposition to do honor and justice—and justice would be the highest honor—to Virginia for that act of cession of the Northwestern Territory. I will say, sir, that it is one of her fairest claims to the respect and gratitude of the United States, and that perhaps it is only second to that other claim which attaches to her; which is, that from her counsels, and from the intelligence and patriotism of her leading statesmen, proceeded the first idea put in practice for the formation of a general Constitution of the United States.

This ordinance of 1787, applying thus to the whole territory over which the Congress of the United States had any jurisdiction, was adopted nearly two years before the Constitution of the United States went into operation; because the ordinance took effect immediately upon its passage, while the constitution, after having been framed, was to be sent to the States, to be debated in their conventions, and to be adopted by them, and then the government was to be organized under it. This ordinance,

therefore, was in full operation and force when the constitution was adopted and its government put in motion, in March or April, 1789.

Mr. President, three things are quite clear as historical truths: One is, that there was an expectation that upon the ceasing of the importation of slaves from Africa, slavery would begin to run out. That was hoped and expected. Another is, that so far as there was any power in Congress to prevent the spread of slavery in the United States that power was exerted in the most absolute manner, and to the fullest extent. An honorable gentleman, whose health does not allow him to be here to-day, [Mr. Calhoun.] said the other day in a speech to the Senate—

A SENATOR. He is here.

Mr. WEBSTER. I am very happy he is here. May he long be here in health, and in the enjoyment of strength to serve his country! The honorable member said that he considered this as the first in a series of measures calculated to enfeeble the South, and to deprive them of their just participation in the benefits and privileges of the government. He says, very properly, that it was done under the old confederation, and before this constitution went into effect.—My present purpose is only to say that it was done with the entire and unanimous concurrence of the whole South. There it stands. The vote of every State in the Union was unanimous in favor of that ordinance, with the exception of a single individual, and that individual was a northern member—while for that ordinance prohibiting slavery northwest of the Ohio, are the hand and seal of every Southern member in Congress. This was the state of things, and the state of opinion under which these two very important matters were arranged, and these two important things done; that is, the adoption of the constitution and the recognition of slavery as it existed in the States, and the establishment of the ordinance prohibiting to the full extent of all territory owned by the United States, the introduction or existence of slavery.

And here, sir, we may pause. We may reflect for a moment upon that entire coincidence and concurrence of sentiment between the North and the South upon this question at the period of the adoption of the constitution. But opinion has changed—greatly changed—changed North and changed South. Slavery is not regarded in the South now as it was then. I see before me an honorable member of this body, [Mr. Mason.] paying me the honor to listen to my remarks, who brings to me freshly and vividly the sentiments of his great ancestor—so much distinguished in his day and generation, so worthy to be succeeded by so worthy a grandson—with all the strength and earnestness of the sentiments which he expressed in the convention in Philadelphia.

Here we may pause. There was a unanimity of sentiment, if not a general concurrence of sentiment, running through the whole community, but especially entertained by the eminent men of all portions of this country, in regard to this subject. But soon a change began. North and South. A change began, and a severance of opinion soon showed it—the North growing much more strong and warm against slavery, and the South growing much more strong and warm in its favor. There is no generation of mankind whose opinions are not subject to be influenced by what appears to be their present and emergent interest. I impute to the South no particular interested view in the change which has now come over her. I impute to her, certainly, no dishonorable views. All that has happened has been natural. It has followed causes which always influence the human mind and operate upon it.

What, then, has been the cause which has created so warm a feeling in favor of slavery at the South?—which has changed the whole nomenclature of the South in relation to this subject?—so that, instead of being referred to as an evil, a blight, a curse, slavery has now come to be an institution to be cherished—not a scourge and a misfortune to be deprecated, but a great political, social, and moral blessing, as I think I have heard it lately described. Well I suppose that this is owing to the sudden, surprising, and rapid growth of the cotton planting interest in the South. So far as any motive but honor and justice, and the general judgment has acted in forming their present opinions, this cotton interest has doubtless acted. It was this which gave to the South a new desire to promote slavery, to spread it, and to use this species of labor.—I again say that this was produced by causes which we must always expect to produce like effects. Men's interests became more deeply involved in it. If we look back to the history of the commerce of this country at the time of its commencement, what were our exports? Cotton was hardly raised at all. The tables will show that the exportation of cotton in the years 1790 and 1791 was hardly more than forty or fifty thousand dollars a year. It has gone on, increasing rapidly till its amounts now in a year of large product and high prices, to more than one hundred millions of dollars! Then there was more of flax, more of indigo, more of rice, more of almost anything else exported from the South than of cotton. I think that I have heard it said that, when Mr. Jefferson negotiated the treaty of 1791 with Great Britain, he did not know

that any cotton was raised in this country: and that when, under that treaty, which gave the United States the right to carry their own products in their own ships to British ports, a shipment of cotton was sent to England, the British custom-houses refused to admit it under the treaty, on the ground that there was none of that article raised in America. They would hardly say that now.—[Laughter.] Well, we all know that this cotton age has become a golden age for our Southern brethren.—It gratified their desire for improvement and for extending their operations. That desire grew with what it fed upon: and there soon came to be a greediness for other territory—a new area, or new areas, for the cultivation of the cotton crop; and measures were brought about one after another, under the lead of Southern gentlemen at the head of the government (they have a majority concurring in both branches of the legislature), to accomplish these ends.

The honorable Senator from South Carolina observed in his speech the other day that the North have a fixed majority in every department of the government. If that be true the North have acted very liberally and kindly, or else very weakly: for they have never exerted the power which that majority gives them five times in the whole history of the government. Whether they have been generous, or whether they were outgeneraled, I will not stop to discuss: but no one acquainted with the history of his country can deny that the general lead in the politics of this country, during three-fourths of the period which has elapsed since the formation of this government, has been a southern lead.

In 1802, in pursuit of the idea of opening new cotton regions, the United States obtained the cession from Georgia of her western territory, now embracing the rich and growing State of Alabama. In 1803, Louisiana was purchased from France, out of which the States of Louisiana, Arkansas, and Missouri, have been formed as slaveholding States. In 1819 the cession of Florida was made, bringing another addition of slaveholding property and territory.

The honorable Senator from South Carolina thought he saw in certain operations of the government, such as the manner of collecting the revenue, and the tendency of certain measures to promote immigration into the country, and so on, the causes for the more rapid growth of the North than of the South. He thinks that they were not the operations of time, but of the system of government which has been pursued. That is a matter of opinion. In a certain measure it may be so: but it does seem to me that, if any operations of the government can be shown to have promoted the population, and growth, and wealth of the North, there are sundry important and distinct operations of the Government, about which no man can doubt tending to promote, and absolutely known to have promoted, the slave States and the slave territory at the South. Allow me to say that it was not time that brought Louisiana in, but the act of man; it was not by the silent operation of time that Florida came in, but by the act of man: and, then, to complete these acts of man, which have contributed so much to enlarge the area and sphere of this institution of slavery, Texas—great, vast, illimitable Texas—was added to the Union as a slave State in 1845, and that, sir, pretty much closed the chapter and settled the whole account. It closed the whole chapter and settled the whole account, because the annexation of Texas, upon the conditions and under the guaranties upon which she was admitted, did not leave an acre of land capable of being cultivated by slave labor between this Capital and the Rio Grande or the Nueces, whichever is the proper boundary of Texas. Not an acre remained from that moment, sir. The whole country, from here to the western boundary of Texas, was fixed, pledged, decided to be slaveholding territory, by the most ample guaranties of law.

And I now say, as the proposition upon which I stand this day, and upon the truth and firmness of which I intend to act until it is overthrown, that there is not at this moment within the United States, or within the Territories, a single foot of land the character of which, in regard to its being free-soil territory or slave territory, is not fixed by some law, and some irrepealable law—a law beyond the power of the action of this government. Now, is not that so with respect to Texas? Indeed, it is most manifestly so. The honorable gentleman from South Carolina, [Mr. CALHOUN], at the time of the admission of Texas, held an important post in the executive department of government. He was Secretary of State. Another eminent person of great activity and adroitness of powers—I mean the late Secretary of the Treasury, [Mr. WALKER]—was a leading member of this body: they took the lead in the business of annexation: and I must say that they did their work faithfully—there was no botch in it. [Laughter.] They rounded it off and made it as close joiners' work as ever was put together. The resolutions of annexation were brought into Congress, fitly joined together—compact, firm, efficient, conclusive upon the great object which they had in view. Allow me to read a resolution. It is the third clause in the second section of the resolutions of the 1st of March, 1845, for the admission of Texas. That article reads in these words—

"New States of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the federal constitution. And such States as may be formed out of that portion of said territory lying south of thirty-six degrees thirty minutes north latitude, commonly known as the 'Missouri compromise line, shall be admitted into the Union with or without slavery, as the people of each State asking admission may desire."

And then there is a provision that such territory as lies north of the Missouri compromise line shall be free states:—

"And such State or States as shall be formed out of said territory, north of said Missouri compromise line, slavery or involuntary servitude (except for crime) shall be prohibited."

Well, now, what is here pledged, stipulated for, enacted, secured? Why, it is that all Texas south of 36 deg 30 min., which is nearly the whole of it, shall be admitted into the Union as a State—it was a slave State, and therefore it all came in as a slave State—and that new States shall be made out of it: and that such States, being formed out of that portion of Texas which lies south of 36 deg 30 min., may come in as slave States, to the number of four, in addition to the State then in existence, and admitted under the resolution. Now, sir, I know of no formula, no mode of legislation, which can strengthen that resolution. I know no formal recognition of Congress that can add a title to it.

I listened with respectful attention to my honorable friend from Tennessee, [Mr. Bell.], containing a proposition to recognize that stipulation with Texas. Why, sir, any additional recognition of it would weaken its force, because it stands here upon the ground of a compact for consideration. It is a law—a law founded in a contract with Texas, and is destined to carry that contract into effect. Recognition of the contract, for the purpose suggested, would not leave it as strong as it stands now upon the face of the original resolution.

Now, I know of no way—I candidly confess I know of no way—in which this government, acting in good faith—as I trust it always will—can relieve itself from that commitment, stipulation, and pledge, by any honest course of legislation upon it; and therefore I say that, so far as Texas is concerned—the whole of Texas south of 36 deg 30 min., which I suppose embraces all the slave territory—there is no land, not an acre, the character of which is not established by law, and by law which cannot be repealed, without a violation of contract.

I hope, sir, it is now apparent that my proposition, so far as Texas is concerned, is made plain. And, sir, the provision in these articles—as has been well suggested by my friend—that that part of Texas which lies north of 36 deg may be formed into free states, is dependent likewise upon the consent of Texas, herself a slaveholding state.

Well, now, how came it that these laws—when it is said by the honorable Senator from South Carolina that the free states have the majority—how came it that these resolutions of annexation, such I have described them, found a majority in both Houses of Congress? Why, sir, they found that majority by a vast addition of northern votes to a great portion of the southern votes. It was made up of northern votes. In the House of Representatives it stood, I think, about eighty southern votes for the admission of Texas, and about fifty northern votes.

Mr. Davis, of Massachusetts, (in his seat). All the Democrats were on one side.

Mr. Webster.—I shall not forget that. [Laughter.] In the Senate the votes stood 27 for the admission of Texas, and 25 against it; and of these 27 votes, constituting a majority for its admission, not less than 13 of them came from the free states, and 4 of them from New England. So you see one-half of all the votes of this body for the admission of Texas, with this immeasurable extent of slave territory, was formed by Free Soil votes.

Sir, there is not so remarkable a chapter in our history of political votes, of political parties, of political men, as is afforded by this majority for the admission of Texas, with this territory that a bird cannot fly over in a week. [Laughter.] New England, with some of her votes, supported this measure. Three-quarters of the votes of liberty loving Connecticut were given for it in the other House, and one-half here. And there was one vote for it in Maine—not, I am happy to say, the vote of the honorable member who addressed us day before yesterday, [Mr. Hamlin], who was then a member of the other House from Maine. But there was one vote from that state; ay, sir, there was one vote for it in Massachusetts—a gentleman then and now living in, and formerly representing a district in which the prevalence of free soil sentiments has for a couple of years dictated the choice of any member of Congress. The body of eastern men who gave their votes thus at that time, or soon after, took upon themselves the nomenclature of the northern democracy. They were to wield the destiny of this empire, if I may call a republic an empire; and their policy was—and they persisted in it—to bring into this country all the territory they could. They did it under pledges—absolute pledges—to slavery, in case of Texas. And afterwards, in the case of this new conquest when the honorable Senator from Georgia [Mr. Berrien], in March, 1847, moved that

the Senate should declare that the war ought not to be prosecuted for the purpose of acquisition, conquest, and the dismemberment of Mexico—the same *northern democracy* unanimously voted against it. It did not get a vote from them. It suited the views, patriotism, and lofty sentiment of *northern democracy* to bring in a world among the mountains and valleys of New Mexico, or the northern part of Mexico, and then quarrel about it—to bring it in, and then put upon it the saving grace of the Wilmot proviso! [Laughter.] Why, sir, there were two very eminent and highly respectable persons from the North and East, then holding a high position in this Senate—I refer (and I do so with entire respect, for I entertain a high regard for both of them) to Mr. Dix, of New York, and Mr. Niles, of Connecticut—who voted for the admission of Texas. They would not have it otherwise than it stood, and would have it as it did stand. Those two gentlemen would have the resolutions of annexation just as they are, with their eyes open to them. Why, sir, my honorable friend from South Carolina [Mr. CALHOUN], who addressed us the other day, was then Secretary of State. His correspondence had been published. His correspondence with Mr. Murphy, the charge d'affaires of the United States to Texas, was all before those gentlemen; and he had the boldness and candor to avow in that correspondence, and then to publish that correspondence, that the great object sought by the annexation of Texas was to strengthen the slave interests of this country.

Mr. CALHOUN, (interposing). In this matter which I consider of so much importance, I deem it my duty to set the honorable Senator from Massachusetts right. I did not put it on the ground assumed by the Senator. I put it on this ground: that Great Britain had announced to this government, in so many words, that her object was to abolish slavery in Texas, and through Texas in the United States. And the ground I put it upon was this: that if Great Britain succeeded in her object, it would be impossible for our frontier to be secure against the operations of abolitionists, and that this government was bound to protect us, under the guarantees of the constitution, in such a state of things.

Mr. WEBSTER.—I suppose it amounts to exactly the same thing. It was, that Texas must be obtained for the security of the South; and that was the object set forth in the correspondence. I have occasion to know that there repose in the State Department strong letters from the very worthy gentleman who preceded the honorable Senator from South Carolina in that office, to the United States minister in England, and I suppose letters from the honorable senator himself to England, asserting to this extent the sentiments of this government; that Great Britain was not expected to interfere to take Texas out of the hands of the then existing government and make it a free country. But my conclusion is this: that those gentlemen who compose the Northern Democracy, when Texas was brought into the Union, saw it brought in, with all their eyes open, as a slave territory, and for the purpose of being maintained as a slave territory to the *Greek kalends*. That they saw: that they could not but see. I further think that the honorable Senator, who was then Secretary of State, might have, in some of the correspondence, suggested to Mr. Murphy that it was not expedient to say too much about this subject, as it would create some alarm. But he avowed it openly and manfully—for what he means he is very ready to say.

Mr. CALHOUN, (interposing). Always; always.

Mr. WEBSTER.—This was in 1845. Then, in 1847, *flagrantibus bello* between the United States and Mexico, this proposition was brought forward by my friend from Georgia. The northern democracy voted against it. Their remedy was to apply to this conquest, after it should come in, the Wilmot Proviso! Well, what followed? Why, those two gentleman, worthy, honorable, and influential men, brought in Texas by their votes. They prevented the passage of the resolution of the honorable Senator from Georgia, and then they went home and took the lead in the free-soil party; and there they stand. They leave us here bound in honor and conscience by the resolutions of annexation; they leave us here to take the odium of fulfilling the obligations in favor of slavery, which they voted us into, or else the greater odium of violating these obligations, while they are at home making rousing and capital speeches for *free soil and no slavery*.—[Laughter.] Therefore, I say, Mr. President, that there is no chapter in our history, respecting public measures and public men, more full of what should create surprise, and more full of what does create, in my mind, extreme mortification, than the conduct of this northern democracy.

Sometimes, when a man is found in a new relation to things around him and to other men, he says *the world has changed*, and that he has not changed. I believe, sir, that our self-respect leads us often to make that declaration, in regard to ourselves, when it is not exactly true. An individual is more apt to change, perhaps, than all the world around him is to change; and under present circumstances, and under the responsibility which I know I incur by what I am now stating here, I feel at liberty to recur to the various expressions and statements at various times of my own opinions, and

resolutions respecting the admission of Texas, and all that has followed. As early as 1836, or the early part of 1837, it was a matter of conversation and correspondence between myself and some private friends. An honorable gentleman, long an acquaintance and friend of mine, now perhaps in this chamber—General Hamilton, of South Carolina—was knowing to that correspondence. I voted for the recognition of Texan independence because I believed it was an existing fact, surprising and astonishing as it was, and I wished well to the new republic. But I professed from the first an utter opposition to bring her with her territory into the United States; and having occasion, in 1837, to meet some friends in New York, on some political occasion, I stated my sentiments on that subject. It was the first time I had occasion to advert to it; and if I might ask a friend near me to read an extract from that speech, I think it would be proper to present it to the Senate, though it may be rather tedious. It was delivered at Niblo's Garden in 1837.

Mr. GREENE read as follows:

"Gentlemen, we all see that, by whomsoever possessed, Texas is likely to be a slaveholding country; and I frankly avow my entire unwillingness to do anything which shall extend the slavery of the African race on this continent, or add other slaveholding States to the Union.

"When I say that I regard slavery in itself as a great moral, social, and political evil, I only use language which has been adopted by distinguished men, themselves citizens of slaveholding States.

"I shall do nothing therefore, to favor or encourage its further extension. We have slavery already among us.—The convention found it among us, it recognized it, and gave it solemn guarantees.

"To the full extent of these guarantees, we are all bound in honor, in justice, and by the constitution. All the stipulations contained in the constitution in favor of the slaveholding States which are already in the Union ought to be fulfilled, and, so far as depends on me, shall be fulfilled in the fullness of their spirit and to the exactness of their letter. Slavery as it exists in the States is beyond the reach of Congress.

"It is a concern of the States themselves. They have never submitted it to Congress, and Congress has no rightful power over it.

"I shall concur, therefore, in no act, no measure, no menace, no indication of purpose, which shall interfere or threaten to interfere with the exclusive authority of the several States over the subject of slavery, as it exists within their respective limits. All this appears to me to be matter of plain and imperative duty.

"But when we come to speak of admitting new States, the subject assumes an entirely different aspect. Our rights and our duties are then both different.

"I see, therefore, no political necessity for the annexation of Texas to the Union—no advantages to be derived from it, and objections to it of a strong and, in my judgment, of a decisive character."

Mr. WEBSTER. I have nothing, sir, to add nor to take back from these sentiments. That, sir, you will perceive, and the Senate will perceive, was in 1837. The purpose of immediately annexing Texas at that time was abandoned or postponed. It was not revived with any vigor for some years. In the mean time, it so happened that I had become a member of the executive administration, and was there for a short period, in the Department of State. The annexation of Texas was a common subject of conversation—not confidential—with the President and heads of departments, as it was with other public men. But no serious attempt was made to bring it about.

I left the Department of State in May, 1843, and shortly after I learned from a source in no way connected with official information, that a design had been taken up to bring Texas with her slave territory and population into the United States.

I was here in Washington; and persons are now here who well remember that we had an arranged meeting for conversation upon it. I went home to Massachusetts, and proclaimed the existence of that purpose; but I could get very little attention. Some would not believe it, and some were engaged in their own pursuits. They had gone to their farms or their merchandise. It was impossible to raise any sentiment in New England or even Massachusetts, that should combine the two parties against annexation; and, indeed, there was no hope, from the first, of bringing the northern democracy into it. Even with the Whigs, and leading Whigs I am ashamed to say, there was a great indifference concerning the annexation of Texas with her slave territory into this Union. At that time I was out of Congress. The annexation resolutions passed the 1st of March, 1845. The Legislature of Texas complied with the conditions and accepted the guarantees; for the phraseology of the annexation resolutions is, that Texas is to come in "on the conditions and under the guarantees herein prescribed."

I happened to be returned to the Senate in March, 1845, and was here in December, 1845, when the acceptance by Texas of the conditions proposed by Congress was laid before us by the President, and an act for the consummation of the connexion was before the two houses. The connexion was completed. A final law, doing the deed of annexation, was ultimately adopted. When it was on its passage here, I expressed my opposition, and recorded my vote; and there the vote stands, with the observations I made upon that occasion. It happened, between 1837 and this time, that, on various occasions and opportunities, I have expressed my entire opposition to the admission of slave states, or the acquisition of new slave territory to be added to the United States. I know no change in my own sentiments or in my own purposes in that respect. I will only now, sir, read very briefly one other extract from a speech of mine, made at a convention held in Springfield, Massachusetts, September 27, 1847:

"We hear much just now of a *panacea* for the dangers and evils of slavery and slave annexation, which they call the '*Wilmet Proviso*.' That certainly is a just sentiment, but it is not a sentiment to found any new party upon. It is not a sentiment on which Massachusetts Whigs differ. There is not a man in this hall who holds to it more firmly than I do, nor one who adheres to it more than another.

"I feel some little interest in this matter, sir. Did not I commit myself in 1835 to the whole doctrine fully, entirely? And I must be permitted to say that I cannot quite consent that more recent discoverers should claim the merit and take out a patent.

"I deny the priority of the invention. Allow me to say, sir, it is not their thunder.

"We are to use the first and last and every occasion which offers to oppose the extension of slave power.

"But I speak of it here, as in Congress, as a political question—a question for statesmen to act upon. We must so regard it. I certainly do not mean to say that it is less important in a moral point of view, that it is not more important in many other points of view; but, as a legislator, or in any official capacity, I must look at it, consider it, and decide it, as a matter of political action."

On other occasions, sir, and in debates here, I have expressed my determination to vote for no acquisitions or annexations, North, South, East or West. My opinion has been that we have territory enough, and that we should use the Spartan maxim: "Improve, adorn what you have; seek no further."

I think, sir, that it was on some observations I made here on the three million loan bill, that I avowed that sentiment. It is short; and the sentiment has been avowed quite as often, in as many places, and before as many of the people of the United States, as any humble sentiment of mine has been avowed.

But now, sir, what is our condition? Texas is in with all her territories, as a slave State, with solemn pledges that if she is divided into many States, those States may come in as slave States south of 36 deg. 30 min. How are we to deal with them? I know of no way of honorable legislation, but, when the time comes for enactment, to carry into effect all that we have stipulated. I do not agree with my honorable friend from Tennessee, that as soon as there is room for another representative, according to numbers, we should create a new State. The truth, with regard to that, I think to be this: When we have created new States out of Territories, we have generally gone upon the idea that when there was population enough to entitle them to a member—60,000, or some such number—we should create a State. It may be thought a different thing, where a State is divided, and two or three are made out of one. It does not follow that the same rule of apportionment must prevail. But that, sir, is a matter for the consideration of Congress. When the proper time arrives, I may not be here. I may have no vote to give on the occasion; but I wish to be distinctly understood this day, that according to my view of the matter, this government is solemnly pledged by law to create new States out of Texas, with her consent, when her population shall justify such a proceeding, and so far as those new States are formed out of Texan territory lying south of 30 degrees 30 minutes, to let them in as slave States. That is the meaning of the resolution which our friends, the northern democracy, have left us here to fulfil it, because I will not violate the faith of the government.

Now, sir, as to California and New Mexico: I hold slavery to be excluded from those Territories by a law even superior to that which admits and sanctions slavery in Texas—I mean the law of nature—the law of physical geography—the law of the formation of the earth. That law settles forever, with a strength beyond all terms of human enactment, that slavery cannot exist in California or New Mexico. Understand me, sir; I mean slavery as we regard it—slaves in gross, of the colored race, transferable by sale and delivery as other property. I shall not contest the point. I leave that to the learned gentlemen who undertake to discuss it; but I suppose there are no slaves of that description in Mexico now, and suppose there never will be. I understand that this peonage, this sort of feudal servitude in which men are sold for debt, exists in California and some parts of Mexico. But what I mean to say is, that the existence of African slavery, as we see it here among us, is as utterly impossible to find itself or to be found in Mexico, as any other natural impossibility upon anything else. Why, sir, California and New Mexico are Asiatic in their formation and their scenery. They are composed of vast ridges of mountains, of an enormous height, sometimes broken by deep valleys. The sides of these mountains are barren—entirely barren. Their tops are capped by perennial snows. There may be in California, now made free by her constitution—and there are, no doubt—some tracts of valuable land; but it is much less valuable when you get into New Mexico. Pray what is the evidence upon this subject, which any gentleman has collected by information sought by himself, or stated by others? I have read all I could read, and learned all I could learn on the subject. What is there in New Mexico that could by possibility induce anybody to go there with a slave? There are some narrow slips of tillable land upon the borders of the rivers; but the rivers themselves dry up before midsummer. All that the native people can do is to raise some little articles—some little wheat and other grain for their own use, and all that by irrigation. Who expects to see a hundred black men cultivating tobacco, corn, cotton, rice, anything, on lands in New Mexico, made fertile only by irrigation? I look upon it, therefore, as a "fixed fact"—to use a current expression of the day—that both California and New

Mexico are destined to be free, so far as they are settled at all—which I believe, especially with regard to New Mexico, will be very little, for a great length of time—free by the arrangement of things by the powers above us.

And I have therefore, sir, to say on this respect also, that this country, is fixed for freedom to as many persons as shall ever live there by an irrepealable law—a more irrepealable law than the law which appeals to the right of holding slaves under legal enactments. And I will say further, sir, that if a resolution or a law were now before us to provide a territorial government for New Mexico, I would vote to put into it no prohibition whatever. The use of such a prohibition would be idle as it respects any effect upon the Territory. I would not take pains to re-affirm an ordinance of nature, nor to re-enact the will of God. I would put in no Wilmot Proviso for the purpose of a taunt and reproach—an evidence of superior votes or superior power—to wound the pride, even—whether a just and rational pride, or an irrational pride—to wound the pride even—whether a just or rational pride—to wound the pride of the gentleman and people of the Southern States. I have no such object and no such purpose. They would think it a taunt and an indignity. They would think it to be an act taking away from them what they regard as a proper equality or privilege. Whether they are expected to realize any benefit from it or not, they would feel that at least a theoretic wrong—something derogatory, in some degree, more or less, to their character—had taken place. I need not inflict any such wound upon the feelings of anybody, unless in a case where something essentially important to the country and efficient to the preservation of liberty and freedom is to be effected. Therefore I repeat, sir—and I repeat it because I wish to be understood about it—I do not propose to address the Senate often upon this subject. I desire to pour out all my heart as plainly as possible. I say, therefore, sir, that if the proposition were now here for a government for New Mexico, and it was moved to insert a provision for the prohibition of slavery, I would not vote for it.

Now, Mr. President, I have established, so far as I propose to go into any observations to establish, the proposition with which I set out—upon which I mean to stand or to fall; that is, that the whole territory in the States of the United States, or in newly acquired territories of the United States, has a fixed and settled character now—fixed and settled by law, which cannot be repealed, in the case of Texas, without violation of public faith, and which cannot be repealed by any human power in regard to California and New Mexico. Under one or the other of these laws, every foot of territory in the States or in the Territories has now received a fixed and decided character. Sir, if we were now making a government for New Mexico, and any body should propose the Wilmot Proviso, I should treat it exactly as Mr. POLK treated that proposition for excluding slavery from Oregon. Mr. POLK was known to be in opinion decidedly adverse to the Wilmot Proviso, but he felt the necessity of a law for the government of the territory of Oregon. And though the Wilmot Proviso was there, he knew that it would be a perfectly nugatory Proviso: and since it must be entirely nugatory, since it took away no describable, estimable, weighable, or tangible right of the South, he said he would sign the bill for the sake of enacting a law for the government of the Territory, and let that entirely useless—and in that connexion entirely senseless—Proviso remain. For myself, I will say—we hear of the annexation of Canada—if there be any man, any of the northern democracy, or any of the free soil party, who suppose it necessary to insert a Wilmot Proviso in the territorial government of New Mexico, that man will of course be of opinion that it is necessary to protect the everlasting snows of Canada from the vote of slavery, by the same overpowering wing of an act of Congress. Now, sir, wherever there is a practical good to be done, wherever there is an inch of land to be stayed back from becoming a slave territory, I am ready to insert the principle of the exclusion of slavery. I am pledged to that from 1837—pledged to it again and again—and I will perform those pledges. But I will not do a thing unnecessarily that wounds the feelings of others, or that does disgrace to my own understanding.

Mr. President, in the excited times in which we live, there is a state found to exist of mutual recrimination and recrimination between the South and the North. There are lists of grievances produced by each; and these grievances, really I suppose, alienate the minds of one portion of the country from the other, exasperate the feelings, subdue the sense of fraternal connexion, of patriotic love, and mutual regard. I shall bestow a little attention upon these various grievances, produced by the one side and the other. I begin with the complaints of the South. I will not answer further than I have the general statement of the honorable member from South Carolina [Mr. CALHOUN], that the North has grown upon the South, in consequence of the manner of administering this government, collecting its revenues, &c. They are disputed topics which I have no inclination to enter into; but I will state these complaints, and especially one complaint of the South, which has, in my opinion, just foundation; which is, that there has been found at the North, among individuals, and among the legislatures of the North, a disinclination to perform fully their constitutional duties in regard to the return of

persons bound to service who have escaped into those States. In that respect, it is my judgment that the South is right and the North is wrong. Every member of every northern legislature is bound by oath to support the constitution of the United States; and this article of the constitution which says to these States that they shall deliver up fugitive slaves, is as binding in honor and in conscience as any other article; and no man fulfills his duty, under his oath, in any State legislature, who sets himself to work to find excuses, evasions, escapes from his constitutional duty. I have always thought that the constitution addressed itself to the legislatures of the States themselves, or to the States themselves. It says that those persons escaping into other States shall be delivered up; and I confess I have always been of opinion that that was an injunction upon the States themselves. It is said that a person escaping into another State, and becoming therefore within the jurisdiction of that State, shall be delivered up. It seems to me that the plain import of the passage is, that the State itself, in obedience to the injunction of the constitution, shall cause him to be delivered up. This is my judgment; I have always entertained it, and I entertain it now. But when the subject came, some years before, under the consideration of the Supreme Court of the United States, the majority of the judges held that the power to cause the fugitive from service to be delivered up was a power to be exercised under the authority of this government. I do not know upon the whole, that that may not have been a fortunate decision. I do not say that it is not a legal decision. My habit is, to receive the results of judicial deliberations and the solemnity of judicial decisions; but, as it now stands, the business of seeing that these fugitives are delivered up resides in the power of Congress and the national judicature. My friend at the head of the Judiciary Committee has a bill upon that subject now before the Senate, with some amendments to it which have been offered.

I propose to support that bill, with all proper authority and provisions in it, to the fullest extent—to the fullest extent. I desire to call the attention of all sober men, in the North—men carried away by no fanatical ideas—to their constitutional obligations upon this question and in this respect. I put it to all sober and sound men in the North, as a question of morals—a question of conscience—what right they have, in their legislative capacities, any of them, to endeavor to get around this constitution, and embarrass the free exercise of the rights secured by the constitution to all persons whose slaves escape from them? None at all—none at all. Neither in the forum of conscience, nor before the face of the constitution can they justify that, in my opinion. Of course it is a matter for their own considerations. They, probably, in the turmoil of thought, without having stopped to consider of it, fell, as it seems to me, into a current of thought in which they imagined they found motive for their action; and they neglected to investigate fully the real question of the case—to consider their constitutional obligation, which, I am sure if they did consider, they would fulfil with clarity. I therefore repeat, here is a ground of complaint against the North, well-founded, which ought to be remedied—which it is now in the power of the different departments of this government to remove—which calls for the enactment of a proper law, authorizing the judicatures of the several States of this government to do all that is necessary for the recapture of fugitive slaves, and the restoration of them to those who claim them. Wherever I go, and wherever I speak upon this subject—I speak here, and desire to speak to the people of the whole North—I say that the South has been injured in this respect. It has a right to complain. The North has been too careless upon what I think the constitution peremptorily and emphatically enjoins upon it as a duty.

Complaint is made again, sir, of the resolutions that emanate from the several State legislatures and are sent here to us, not only upon the subject of slavery in this District, but sometimes recommending Congress to consider the means of abolishing slavery in the States. I should be very sorry to be called upon to present any resolution not referable to any acknowledged power in Congress, and therefore should be very unwilling to receive from Massachusetts instructions to present resolutions expressing any opinion whatever upon slavery as it exists at the present moment in the States, for two reasons. In the first place, I do not consider that the legislature of Massachusetts has anything to do with it; and, in the next place, I do not consider that I, here, as her representative, have anything to do with it. And if the legislatures of the States do not like it, they have a great deal more power to put it down than I have to uphold it. It has become, in my opinion, quite too common a practice for State legislatures to present resolutions upon all subjects, and instructing us here upon all subjects. There is no public man that needs instruction more than I do, or needs information more than I do, or desires it more than I do; but I do not like to have it come in too imperative a shape. I noticed with pleasure some remarks made the other day, in the senate of Massachusetts, by a young man of talent, standing, and character, for whom the best hopes are entertained, upon this subject—I mean Mr. Hilliard. He told the senate of Massachusetts that he would vote for no instructions whatever to be forwarded to

members of Congress, nor for any resolutions whatever expressive of the sense of Massachusetts as to what her members of Congress ought to do. He said he saw no propriety in one set of public servants giving instruction and reading a lecture to another set of public servants—that to their own master all of them must stand or fall, and that master is their constituents. I wish these sentiments could become more common—greatly more common.

I have never entered into the question, and never shall, about the binding force of instructions. I will say simply this: that if there be any interest pending in either of these bodies, where I am a member, and Massachusetts has in that question any particular interest of her own, not adverse to the general interest of the country, I shall pursue her instructions with gladness of heart, and with all the efficiency that I can bring to it. But if the question be one that affects her interests, and at the same time affects the interests of the people of all the other states, I should feel myself no more bound to regard her particular wishes and instructions than if I were chosen a referee or an arbitrator, to decide upon a question of important private rights, I should feel myself bound to regard the instructions of the man that appointed me. If there ever was a government on earth, it is this government—if there ever was a body upon earth, it is this body, which should consider itself as composed by an agreement of all: appointed by some, but organized by general consent of all: sitting here under obligation of oath and conscience to do that which they consider as best for the good of the whole.

Then, sir, there are those abolition societies, of which I am very unwilling to speak, but in regard to which I have very fixed notions and opinions. I do not think them useful. I think their operations for the last twenty years have produced nothing that is good or valuable. At the same time I know that thousands of them are very honest and good men, perfectly well-meaning. They have excited feelings. They think they must do something for the cause of liberty, and in their sphere of action they do not see what else they can do, but to contribute to an abolition press or an abolition society, or to pay an abolition lecturer. I do not mean to impute gross motives even to the leaders of those societies; but I am not blind to the consequences: I cannot but see what mischief their interference with the South has accomplished. Is it not plain to every man? Let any gentleman who doubts all this recur to the debates in the Virginia house of delegates in 1832. See with what freedom the proposition made by Mr. Randolph for the gradual abolition of slavery was discussed in that house of delegates. Everybody spoke of slavery as they thought; and very ignominious and disreputable names and epithets were applied to it freely. The debates of the house of delegates were all published. They were read by every colored man who could read; and if there was not a colored man who could read, they were read by white men to colored men who could not read. At that time, Virginia was not unwilling or afraid to discuss this whole question, and to let that particular part of her population know as much of it as they could learn. That was in 1832.

As has been said by the honorable member from South Carolina, these abolition societies commenced their course of action in 1835. It is said—with what truth I know not—that they sent incendiary publications into the slave states. At any event, they attempted to arouse, and did arouse a very strong feeling—in other words, created a great sensation in the North against slavery. What was the result? The bonds of slavery were bound tighter. The rivets were more strongly fastened. Public opinion in Virginia, just then opening to the free discussion of this question, drew back and shut itself up in its castle. I wish to know now whether anybody in Virginia can talk as Mr. Randolph and Gov. McDowell talked in Virginia? They talked openly, and sent their remarks to the press in 1832, we all know; and we all know the cause. Everything that the agitating people have done has been not to enlarge, but to restrain; not to set free, but to bind faster the slave population of the South. That is my judgment.

As I have said, I know many of them in my own neighborhood are very honest and good people—misled, as I think, by a strange enthusiasm; but wishing to do something, they feel called upon to contribute, and they do contribute. It is my firm opinion this day, that within the last twenty years as much money has been collected and paid to abolition societies, abolition presses, and abolition lecturers, as would purchase the freedom of every slave—man, woman, and child—in the state of Maryland, and send them all to Liberia: I have no doubt of it. I have not learned that the benevolence of these abolition societies has at any time taken that particular turn.

Again, sir, the violence of the press is complained of. The press is violent everywhere. There are outrages—reproaches in the North against the South, and reproaches in not much better taste in the South against the North. The extremists of both parties of the country are violent. They mistake loud and violent talk for eloquence and for reason. They think he who talks loudest reasons the best. We must expect that where the press is free, as it is here, and always will be—for, with all its licentious-

ness, and all its evils, an entire and absolute freedom of the press is essential for the preservation of the government on the basis of a free constitution—wherever that exists there will be foolish paragraphs and violent paragraphs in the press, as there are, I am sorry to say, foolish speeches and violent speeches in the houses of Congress. In short, sir, I must say that, in my opinion, the vernacular tongue of the country has become greatly vitiated, depraved, and corrupted by the style of the Congress debates. [Laughter.] And if it were possible for our debates in Congress to vitiate the principles of the people as much as they have depraved their tastes, I should cry out, God save the Republic! Well, sir, in all this I see no solid grievance within the redress of government—produced by the South—but the single one to which I have referred—the want of a proper regard for the injunctions of the constitution about the restoration of fugitive slaves.

Now, sir, there are complaints of the North against the South. I need not go over them particularly. The first and the gravest is—considering that the North entered into the constitution recognizing the existence of slavery in the states, and recognizing the right, to a certain extent, of the representation of slaves in Congress, under a state of sentiment and expectation which does not now exist—that the North, by events, by circumstances, by the eagerness of the South to acquire territory and to extend a slave population, finds itself, in regard to the respective influence of the South and North, of the free states and slave states, where it never did expect to find itself when they entered into the constitution. They complain, therefore, that instead of being regarded as an evil, as it was then—an evil which all hoped would go out gradually—it is now regarded by the South and cherished as an institution to be preserved and extended, and is an institution which the South has extended to the utmost of its power, by the acquisition of new territory.

Then, sir, passing from that, everybody in the North reads—everybody reads whatsoever the newspapers contain; and the newspapers, some of them, and especially those presses to which I have alluded, are careful to spread among the people every reproachful sentiment uttered by any Southern man, high or low, against the North. Everything that is calculated to exasperate—everything that is calculated to alienate—and there are many such things, as everybody will admit, in the South, or some portions of it—is spread abroad among a reading people. And they do exasperate—they do alienate—they do produce a mischievous effect upon the public mind of the North. I would not notice things of this sort, appearing in obscure quarters; but one thing has occurred in this debate which struck me very forcibly.

The honorable Senator from Louisiana [Mr. Downs] addressed us here the other day upon this subject. I suppose there is not a more amiable or worthy gentleman in this chamber. I suppose there is not a gentleman more slow to give offence to anybody. He did not mean in his remarks to give offence to anybody. What did he say? He undertook to run a contrast between the slaves of the South and the laboring people of the North, giving the preference in all points—in condition, comfort and happiness—to the slaves of the South. I repeat, sir, that he did not suppose he was giving any offence or doing any injustice. He was expressing his opinions. But does he know how a remark of that sort will be received by the laboring people of the North? Who are the laboring people of the North? They are the North. They are the people who cultivate their farms with their own hands—freeholders—educated men—Independent men; and let me say, sir, that five-sixths of the whole property of the North is in the hands of the laborers of the North. They cultivate their farms; they educate their children; they provide means of independence. If they are not freeholders, they earn wages. Wages accumulate, and are turned into capital. New freeholders and new small capitalists are created. That is the condition of things at the North. And what can these people think, when so respectable and worthy a gentleman as the member from Louisiana undertakes to prove that the absolute ignorance and abject slavery of the South are more in conformity with the high purposes of immortal, rational human beings than the educated and independent condition of free laborers of the North!

Now, sir, so far as any of these grievances have their foundation in matters of law, they can be redressed. So far as they have their foundation in matters of opinion, in sentiments, in mutual crimination and recrimination, all we can do is to endeavor to allay them—to endeavor to cultivate a better feeling and more fraternal sentiment between the South and the North.

Mr. President, I should much prefer to have heard from every member upon this floor declarations of opinion that this Union could never be dissolved, than the declaration of opinions that in any case, under the pressure of any circumstances, such a dissolution was possible. I hear with pain, and anguish, and distress, the word secession, when it falls from the lips of those who are eminent, patriotic, known to the country, and known all over the world, for their political services. Secession! Peaceable secession! Sir, your eyes and mine are never destined to see that miracle.

The dismemberment of this vast country without convulsion! The breaking up of the fountains of the great deep without ruffling the surface! Who is foolish enough—I beg everybody's pardon—who is foolish enough to expect to see any such thing? Sir, he who sees these States, now revolving in harmony around one common centre, and expects to see them quit their places, and fly off, without convulsions, may look out the next day to see the heavenly bodies rush from their spheres, and jostle against each other in the realms of space, without producing a crush of the universe. Such a thing as peaceable secession! It is utterly impossible. Is this constitution under which we live here, covering this whole country, to be thawed and melted away by secession, as the snows on the mountains are melted under the influence of a vernal sun, to disappear almost unobserved, and to die off! No, sir; no, sir.

I will not state what might produce the disruption of these states. I see it as plainly as I see the sun in heaven; and should it happen, it must produce such a war as I will not describe, in its two-fold character. Peaceable secession! Peaceable secession! A concurrent agreement of all the members of this great republic to separate! A voluntary separation, with alimony on the one side or the other!—What would be the result? Where is the line to be drawn? What states are to be associated? What is to remain America? What am I to be? Where is the flag to remain? Where is the eagle still to tower? or is he to cower, and shrink, and fall to the ground? Why, sir, our ancestors, our fathers and grandfathers, those of them who still remain amongst us, by reason of prolonged life, would rebuke us and reproach us, and our children and grandchildren would cry out shame upon us, if we of this generation should bring dishonor upon those ensigns of the honor and power and harmony of the Union, which we see around us now, with so much joy and gratitude. What is to become of the army? What is to become of the navy? What is to become of the public lands? How is each of the thirty states to defend itself? Nay, although the idea has been suggested distinctly, that there is to be a Southern confederacy—I do not mean when I allude to this, that any body contemplates it here or elsewhere; I only mean to say that I have heard it suggested—I am sure that the idea cannot be entertained, even in the dream of the wildest imagination. But if any separation is looked to, it must be one including the slave states, on the one side, and the free states on the other.

Sir, I may express myself too strongly; but some things—some moral things—are almost as impossible as natural and physical things; and I hold the idea that a separation of those states into those which are free to form one government, and those which are slaveholding to form another government, is a moral impossibility. We could not separate them by any such line if we were to try. We could not sit down here and draw a line of separation that would suit any five men in the country. There are natural causes which bind together and keep us together; so that we could not break them if we would, and I hope that we would not break them if we could.

Looking over the face of this country at the present moment, nobody can see where its population exists, where its population is most growing, without being compelled to admit that ere long America will be in the valley of the Mississippi. Now, I beg to know what the wildest enthusiast has to say upon the possibility of cutting off half of that river, leaving the free states at its sources and amongst its branches, and slave states down near its mouth. Remember, sir, remember—let me say to the people of this country—that there, in the Northwest, is to be the storhouse of the population of America. There are already five millions of freemen in the free states north of the river Ohio. Does any body suppose that this population can be severed by a line that divides them from a foreign and alien government, down somewhere—the Lord knows where—on the lower branches of the Mississippi? What will become of the Missouri? Shall she join with the slave state *arrondissement*? Shall the man from the Yellow Stone be connected in the new Republic with the man who lives on the southern extremity of Florida? I am ashamed to pursue this line of remark. I dislike it. I have an utter disgust for it. I had rather hear of natural blasts and mildews, of war, pestilence and famine, than to hear gentlemen talk of secession, of breaking up this great government, of dismembering this great country. It would be to astonish Europe with an act of folly such as Europe for two centuries has never beheld in any country. No, sir; gentlemen are not serious when they talk of secession and dissolution.

I hear that there is to be a Convention at Nashville. I am one who believes that if those worthy gentlemen meet at all at Nashville in convention, their object will be to adopt counsels of moderation—to advise the South to forbearance and moderation, inculcating principles of brotherly love and affection, and attachment in every part of our common country. I believe, if they meet at all, they will meet for such purposes; for, certainly, sir, if they meet for any purposes hostile to this Union, they have been singularly unfortunate and inappropriate in their selection of a place of meeting. I remember that when the treaty was concluded between France and England, at the

peace of Amiens, a stern old Englishman, an orator who disapproved of the terms of that peace, as dishonorable to England, said, in the House of Commons, that if King William could know the terms of that treaty, he would turn in his coffin. Let me commend that saying in all its emphasis, and all its force, if anybody should think of meeting at Nashville, for the purpose of concerting measures for the overthrow of the Union of these States over the bones of Andrew Jackson!

Sir, I wish to make two remarks, and hasten to a conclusion. I wish to say, in regard to Texas, that, if it should be hereafter, at any time, the pleasure of the government of Texas to cede to the United States a portion, larger or smaller, which lies adjoining to New Mexico, and north of the 34th degree of north latitude, for a fair equivalent in money, for the payment of her debts, I think it an object well worthy the consideration of this body. I concur in it myself; and if I should be in the public counsels of the nation at that time, it would give me great pleasure to aid in the consummation of such an arrangement.

I have one other remark to make. In my observations upon slavery, as it has existed in the country, or as it now exists, I have expressed no opinion of the mode of its extinction or amelioration. I will say, however,—though I have nothing to propose on that subject, because I do not feel myself so competent as gentlemen who are themselves more intimately connected with slavery—that if any gentleman from the South shall propose a scheme of colonization, to be carried on by this government upon a large scale, for the transportation of the free colored people to any colony, or to any place in the world, I should be quite disposed to incur almost any degree of expense to accomplish that object. Nay, sir, following an example set here more than twenty years ago by a great man, a Senator from New York, I would propose to return to Virginia, and to the South through her, all the moneys received from the sale of the territory ceded by her to this government, for any such purpose—to deal beneficially in any way with the free colored people of the Southern States. There have been received into the treasury of the United States, eighty millions of dollars, the proceeds of the public lands ceded by Virginia, which have been already sold; and if the residue shall be sold at the same rate, the whole will amount to more than two hundred millions of dollars. Now, if Virginia and the South see fit to make any proposition to relieve themselves from the burden of their free colored population, they have my free consent that this government should pay them, out of these proceeds, any sum of money adequate to that end.

Now, Mr. President, I draw these observations to a close. I have spoken freely; I meant to do so. I have not sought to make any display—to enliven the occasion by any animated discussion. I have sought only to speak my sentiments freely and at large—being desirous, once and for all, to let the Senate know, to let the country know, the opinions and sentiments which I entertain upon these subjects. These opinions are not likely to be suddenly changed.

If there be any future services which I can render to the country, consistently with these opinions and sentiments, I shall cheerfully render them. If there be none, I shall still be glad to have had the opportunity to disburden my conscience, and from the bottom of my heart to make known every political sentiment upon this subject.

And now, Mr. President, instead of speaking of the possibility or utility of secession—instead of dwelling in these caverns of darkness—instead of groping with these ideas, so full of all that is horrid and horrible—let us come out into the light of day, and cherish those hopes that belong to us; let us devote ourselves to those great objects that are fit for our consideration and our action—let us raise our conceptions to the magnitude and the importance of the duties that are devolved upon us; let our comprehension be as broad as the country for which we act, and our aspirations as high as its certain destiny. Never did there devolve on any generation of men higher trusts than are now devolved on us for the preservation of this constitution, and the harmony and happiness of all that live under it. It is a great, popular, constitutional government, guarded by legislation, law, and judicature, defended by the holy affections of the people. No monarchical throne presses these States together; no iron chain of despotic power encircles them; they live and stand upon a government, popular in its form, representative in its character, founded on principles of equality, calculated to last, we hope, forever. In all its history it has been beneficent. It has trodden down no man's liberty; it has crushed no State; it has been in all its influences benevolent and beneficent—promotive of the general prosperity, the general glory, and the general renown. And at last it has received a vast addition of territory. It was large before; it was now become vastly larger. This republic now stands with a vast breadth across the whole continent. The two great seas of the world wash the one and the other shore. We may realise the description of the ornamental edging on the buckler of Achilles:—

Now the broad shield complete, the artist crown'd
 With his last hand, and pour'd the ocean round ;
 In living silver seem'd the waves to roll,
 And beat the buckler verge, and bound the whole."

Mr. ALHOUN—Mr. President, I rise to correct what I conceive to be the error of the distinguished Senator from Massachusetts, as to the motives which induced the admission of Florida, Louisiana, and Texas. I have heard with regret the statement that it was the desire of the Southern people to get an extension of territory, with the view of cultivating cotton with more success than they would in a crowded settlement. Now I think the history of this acquisition will not sustain such a view. It is well known that the acquisition of Florida was the result of an Indian war. The Seminole Indians crossed over land and took one of our fortresses. The troops were ordered out, but were driven back. Then, under the command of General Jackson, Pensacola was taken. It was these acts, and not the desire for more territory, that caused the acquisition of Florida. I admit, however, that it had been for a long time the desire on the part of the South, and of the administration, I believe, to acquire Florida; but it was very different from the reason assigned by the Senator. There were collected together in that territory four tribes of Indians—the Creek, the Choctaw, the Chickasaw, and the Cherokee—about thirty thousand warriors, who held connection, almost the whole of them, with the Spanish authorities in Florida and had their trade principally with them. It is well known that a most pernicious influence was at work there; and it was in the desire of preventing any conflict between these Indians and ourselves and Spain, that may be found the motive which induced the desire to acquire Florida.

I come now to Louisiana. You well know that the immediate cause of that acquisition was the suspension of our right of deposit at New Orleans. Under the treaty with Spain, we had the right of navigation of the river as far as New Orleans, and to make deposit there. The Spanish authorities interrupted that right. This brought on great agitation in the West, and I maintain, throughout the whole of the United States. Some gentlemen then, in opposition to a highly respectable party, if I mistake not, took the lead in the desire of resorting to arms to acquire that territory. Mr. JEFFERSON, more prudent, desired it should come in by purchase. The purchase was made to remove that difficulty, and to give to the West an outlet to the ocean. That was the immediate cause of the admission of Louisiana.

Now, sir, I come to Texas. Perhaps no gentleman had more to do with the acquisition of Texas than myself; and I aver that I would have been among the very last individuals in the United States to have made any movement, at that time, towards the acquisition of Texas; and I go further and say, if I know myself, I was incapable of acquiring any territory simply on the ground that it was to be slave territory. No, sir; a very different motive actuated me. I knew at a very early period that the British government had given encouragement to the abolitionists who were represented in the World's Convention. The question of abolition was agitated in that Convention; and one gentleman stated that Mr. Adams informed him that, if the British Government chose to abolish slavery in the United States, they must commence at Texas. A committee from the World's Convention was sent to the Secretary of State. It so happened, that this very gentleman was present when the intercourse took place between Lord Aberdeen and that committee, and he gave him a full account of it shortly after that occurrence, stating that Lord Aberdeen fell into the project to give encouragement to the abolitionists. It is well known that Lord Aberdeen was a pretty correct, and, in my opinion, a very honest man. Mr. Pakenham was sent here to negotiate relative to Oregon—and incidentally about Texas. He was ordered to read his declaration to this government, stating that the British Government was negotiating relative to putting an end to slavery all over the world, and in Texas especially. It was well known, further, that at the very time France and England had negotiated with America to effect that purpose, and our government was thrown out by a—[The remainder of the sentence was inaudible to the reporter]. The object of that was to induce Mexico to recognize the independence of Texas upon the ground that she had abolished slavery. Now, all these are matters of fact.

Well, sir, where is the man so blind as not to see that if the project of Great Britain had been successful, the whole State of Louisiana, Arkansas, and the adjacent States, would have been open to the intrusions of the British emissaries.

Sir, as far as I was concerned I never did, and never would run into the folly of re-annexation, which I always held to be unconstitutional and absurd; nor would I put it upon what I might have put it—upon commercial and manufacturing considerations, because these were not my motives principally. And I choose to say what was my motive. So far as commerce and manufactures were concerned, I would not have moved at that time.

Now, the senator objects to many Northern men throwing the weight of their influ-

ence to support the measure of annexation. Well, it was perfectly right that they should be desirous of fulfilling the obligations the constitution imposes. What man, at that time, doubted but that the compromise of 36 degrees 30 minutes was constitutional? That territory would have fallen, any how, to the south. All the reasonable men at the North agreed to the extension of that line, so that part of Texas might fall within it. The course was, in my opinion, eminently right and patriotic.

Now, Mr. President, having made these corrections, I must go back a little further, and make a statement which I think the honorable senator has left very defective, in reference to the ordinance of 1787. He stated very correctly that it commenced with the old confederation; that it was afterwards confirmed by Congress; that Congress was sitting in New York at the time, and while the convention was sitting in Philadelphia. Now, I have not looked at that ordinance very recently, but my memory will serve me thus far: Jefferson introduced a proposition to exclude slavery in 1784. There was a vote upon it, and I think upon that vote every southern state voted for it. I am not certain upon this point: therefore, I will not venture my memory upon it. But one thing I will venture further; that it was three years before that ordinance was passed. It never passed until 1787; and it was then only passed, I have good reason to believe, on the principle of compromise, as the ordinance contained a provision similar to the one in the constitution about fugitive slaves, that it should be inserted in the constitution; and this was the compromise upon which that provision was made to commence in 1787. We supposed that in that we had an indemnity. In that, too, we made a great mistake: for what possible advantage do we derive from this stipulation in the ordinance or in the constitution? Broken faith has deprived us of our due share in the Northwest Territory, by an entire exclusion of slavery.

This was the leading question which destroyed the equilibrium. And then followed the Missouri compromise, which was carried mainly by Northern votes, although now disavowed and not respected by the North. That was the next step which caused the equilibrium to be broken and destroyed.

Now, sir, having made these remarks, let me say that I took great pleasure in listening to the honorable senator from Massachusetts. He put himself upon the fulfilment of the contract in regard to the admission of these four states, stipulated for in the resolutions of annexation. His position was manly and statesmanlike, and calculated to produce a better state of feeling between the different portions of the Union. He went further; he has condemned—rightfully condemned, (and in that he has shown great firmness)—the course of the North relative to the stipulations in the constitution concerning fugitive slaves. But permit me to say—for I desire to be candid upon all subjects—that the senator, I think, as well as many of the friends on the other side, put confidence in a bill which has been reported, to extend the laws of Congress in relation to the recapture of slaves further, and to make them more penal. It will prove fallacious. It is impossible to make any law of Congress on the subject operative, unless the people of the states shall feel themselves bound to coöperate.

I heard the gentleman also say he would not vote for the Wilmot Proviso—that he believed that nature had already excluded slavery from the new territories. Now, as far as new acquisition is concerned, I am disposed to leave the question to nature herself. That is what I always insisted upon. Let that portion of our country which has more naturally a non-slaveholding population be occupied and governed by them, and the other portions by us, destroying the artificial line, although that is, perhaps, better than none. Mr. Jefferson spoke like a prophet upon the Missouri compromise. Indeed, I am willing to leave it to nature to settle and organize these territories. Organize them upon the principle of the gentleman, and give us free scope, and a sufficient time to get in—we ask nothing but that, and we never will ask it. When the gentleman says he is willing to leave it to nature, I understand that he is willing to remove all impediments now put in our way, deterring our people from going there—I mean the consummate folly of citing the Mexican law prohibiting slavery in New Mexico and California.

No man would feel more happy than myself to believe that our Union, founded by our ancestors, could live forever. Looking back, through the course of forty years I have spent here, I have the consolation to believe, that I have never done one act in which I have not done full justice to all sections; and if I am ever exposed to the imputation of a contrary motive, it will be because I have been ready to defend my section against unconstitutional laws.

But I cannot agree with the declaration of the senator, that this Union cannot be dissolved. Am I to understand that no degree of oppression, that no outrage, that no broken faith, can prevent the destruction of this Union? Why, sir, if that becomes a fixed fact, it will be the great instrument of introducing oppression and broken faith. No, sir; the Union can be broken. Great moral causes will do it, if you go on; and it can only be preserved by justice, faith, and rigid adherence to the constitution.

Mr. WEBSTER—I have listened to the honorable member, but the crowded state of

the room has prevented me from hearing all his remarks. I have only one or two observations to make; and, to begin, I take notice of the honorable senator's last remark, and ask him if I held that this Union could not be broken? I wish to be distinctly understood on that subject. I hold that the breaking up of this Union by any such thing as voluntary secession of state is impossible. I know that the Union can be broken, as other governments have been; and I admit that there may be such a degree of oppression by one part, being the majority, upon the minority, as will warrant resistance and forcible severance. That is revolution. On that ultimate right of revolution I have not been speaking. I know that law or necessity does exist. I forbear from going further, because I do not wish to run into discussion upon the nature of this government. The honorable member and myself have broken bances sufficiently often heretofore—

Mr. CALHOUN (in his seat)—I do not desire it now.

Mr. WEBSTER—I presume the honorable senator does not desire to do it now. I have quite as little desire as he.

The honorable gentleman states the issues on which the old acquisitions of territory were made on the south side of the Union. Why, undoubtedly, wise, skilful public men, having an object to accomplish, took advantage of occasions. Indian wars were the occasions. A fear of the occupation of Texas was an occasion. And when the occasion came under the pressure of which, or under justification of which, the thing could be done, it was done—done skilfully.

Let me say one thing further—and that is, if slavery were abolished, as it has been supposed to have been done throughout all Mexico, before the revolution in Texas and the establishment of the Texan government, then, if it were desirable to take possession of Texas by purchase, as a means of preventing its becoming a British possession, I suppose that object could have been secured by making it free, as well as by making it slave territory of the United States.

Sir, in my great desire not to prolong this debate, I have omitted what I intended to say upon the particular question, under the motion of the honorable member from Missouri (Mr. Benton,) proposing an amendment to the resolution of the honorable senator from Illinois, (Mr. Douglass) and that is, upon the propriety and expediency of admitting California, under all the circumstance, just as she is. The more general subjects are now before the Senate, under the resolutions of the honorable senator from Kentucky, (Mr. Clay.) I must say I feel greatly obliged to that member for introducing this subject, and for the lucid speech which he has made, and which is so much read throughout the whole country. I feel obligations to the honorable member from Tennessee (Mr. Bell) for the light which he has shed upon this subject; and in many respects it will be seen that I do not differ much from the leading propositions submitted by either of them. Now, when the subject of the admission of California on the direct question shall be brought before the Senate, I propose—not before other gentlemen shall have addressed the Senate, who have a desire to do so—to say something upon the boundaries of California, upon the constitution of California, and upon the expediency, under all the circumstances, of admitting her into the Union under that constitution.

Mr. CALHOUN.—One word I omitted to state in my explanation. Notwithstanding the vast addition of Texas referred to by the senator from Massachusetts, it is a fact that all this addition to our territory made it by no means equal to that from which the Northern States had excluded us before that acquisition. The territory lying west, between the Missouri and the Rocky Mountains, is three-quarters of all Louisiana, and that which lies between Missouri and Ohio, added to it, makes a much greater extent of territory than Florida, Texas, and the portion of Louisiana which has fallen to our share.

Mr. WALKER moved that the further consideration of the subject be postponed until to morrow.

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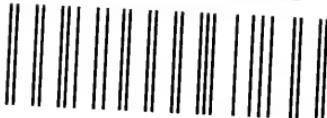
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